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POLICY OF THE NATION IN REGARD TO SLAVERY AND
ITS EXTENSION.

PRESIDENT TAYLOR'S SPECIAL MESSAGE ON THE TERRITORIES.*

MR. CLAY'S RESOLUTIONS AND SPEECH.†

WE APPROACH the subject before us with feelings of unfeigned anxiety; it is not our intention to discuss it at large, or to weary the reader by repeating what has been already said, or demonstrating in new forms of argument what is already established. We do not feel called upon to show, that the general government must not interfere with the State sovereignties, nor directly or indirectly attempt any modification of their institutions; nor do we feel obliged to enter again upon a demonstration of the full powers of the central government over the territories of the nation. We look at these things as established, and we are willing that those who differ with us in regard to them, should continue to differ; awaiting for them, on our part, the slow but certain triumph of reason and common sense. The seed of truth has been sown; nature and time will cause it to grow and to prevail.

What we now offer to our readers is an enquiry into the relative merits of three distinct lines of policy which have been proposed to be followed by the nation in the treatment of slavery and its extension. The enquiry is at present the most im-

portant that can be entered upon; it must be impartial, and purely deliberative; from a point of view at once humane and prudent, but from which the interest of the nation as a whole shall be seen as paramount to that of any one of its members;—a point of view which needs no apology on his part who assumes it, and which, if correctly taken, with a sufficient knowledge of facts and a proper determination to abide by the great laws of nature and necessity, must lead to a conclusion, final, salutary, and that defies exception.

The first of these lines of policy is that which has been advocated, and is strongly urged, by the majority of Northern legislators, namely the suppression and prevention of slavery in all territories of the United States, by an act of the central government. We propose to discuss the *expediency* of such a measure; not its constitutionality; since we have already claimed for the national government a full and absolute sovereignty over the territories of the nation. We have used the word “expediency” as of large import, and having a moral, as well as a prudential significance and value.

*National Intelligencer, Jan. 22d, 1850.

†National Intelligencer. Also, Congressional Summary of this number. See page 320.

The experience of every moral being will have taught him that there are situations in life from which the line of abstract justice, in its narrow and restricted sense, cannot be pursued. There are virtues in conduct, which, under the names of mercy, generosity, forbearance, and long suffering, are claimed to be among the highest attributes of humanity, revealing traits of divinity in man, and obtaining for him a respect which is denied to the merely just and retributive. A measure may be constitutional, but it may be ill-timed or inhumane: it may be constitutional, and yet smack of arbitrary power,—of oppression: it may, like the Wilmot Proviso, carry with it a sentiment of disrespect towards the minority; seeming to impugn the motives and discredit the intentions of great numbers—numbers forming a third part of the entire moral and intellectual force of the nation. It may be impolitic, as creating formidable dangers for the Commonwealth; enemies, plotters for disunion, conspirators, upon whom the law has no grasp, and against which the nation cannot defend itself. Such a measure, it seems to us, would be a legislative act passed in Congress by a mere majority, at the present moment, abolishing slavery, if it exists, and forbidding it if it does not exist, in every portion of the national territory. We hold to, and have steadily defended, the constitutionality of such a measure, and under other circumstances, we should advocate its immediate adoption: our *first* objection to it is its impolicy.

Measures are impolitic when they defeat the end for which they are adopted. They may be just and lawful in themselves, but fatal in their consequences.

They are impolitic, when their adoption at the present time will ensure their reversal and hopeless defeat at a future time. They are impolitic when, notwithstanding their intrinsic justice, *appearances* are against them. If, for example, appearances are such against the measure called the Wilmot Proviso, that it is regarded by those against whom it is directed, as an insult, or as a stroke for power, or a measure not calculated for itself, but for certain results not foreseen by the public generally and serving factious ends, it would be impolitic to pursue it. Even

though a bare majority might establish it, or something resembling it, if its passage by such a feeble power served only to rally its adversaries to crush it with a second effort, the measure would have been impolitic: it involves too much to be trusted on a bare majority.

Those who desire, not for factious ends nor from any passion of revolution stimulated by vain theories, to witness the final extinction of slavery within the Union—to witness the extinction of an evil by the substitution of a good—the extinction of slavery by the only possible humane and equitable method, rendering justice alike to the slave and his master,—the method of *amelioration*—would do well to consider whether violent attacks upon that institution, are not more likely to prolong its existence than to effect their own truly humane purpose: Such attacks are impolitic.

It matters not whether an offensive aggression be direct or oblique; whether it be couched in courteous or opprobrious language; whether it be a measure attached to a bill, or the bill itself; whether it be a block thrown before the wheels, or a clog attached behind them: if its motive be insult and aggression, that motive will be penetrated by those against whom it is directed, and the insult will be the more bitterly felt as it is more ingeniously contrived.

Let Northern constituents, before they “instruct their Senators or advise their Representatives” to adopt the measure that is so offensive to the South, consider how that measure originated: it was adopted under the supposition that the war with Mexico originated in a secret and unavowed intention of the South to extend the area of slavery. The majority of Southern Senators and Representatives disavowed that intention: a proviso was brought forward which gave them the lie direct: which said to them, ‘if you insist upon the acquisition of territory it shall not at least be slave territory.’

The South openly disavowed this intention: a proviso was brought forward, as a public act, founded upon the supposition that the majority of the South had been guilty of a falsehood. We have said, the majority. A few there were, certainly, among Southern Representatives, who intimated such intentions as those against which the Pro-

viso was directed, but they were a minority; they were few in number; individually of little weight; and we do not remember that their intentions were openly expressed in the councils of the nation. It was, then, against the unavowed intentions of the entire South that the Proviso was directed; it was an aggravation, and nothing more: had it passed, as a political measure it was worthless and ineffectual.

To understand its merit and effect as a law, we have first to observe, that it is a fact that slavery had been abolished in all the territories of the Mexican Republic long previous to the cession of any part of those territories to the United States. It is unnecessary to enter here upon any historical examination of the proceedings of the Mexican Government for the effectual abolition of slavery in its territories. We are not to enquire whether slavery, *de facto*, existed in defiance of the laws of Mexico, in any part of that Republic. If such slavery did exist, it was unlawful; a local evil, and not to be taken into the account after the cession of any portion of Mexico to the United States.

The Proviso was directed (it follows of necessity) against the possibility of the establishment, by Act of Congress, of slavery in territories where it did not exist,—in territories ceded by a Republic which had finally abolished that institution. The Proviso rested upon the supposition that it was a competent act for the general government of the Union to re-establish slavery in a region in which it had been abolished by the laws of another country; and, upon the supposition that Congress might, nay, probably would, perpetrate such a mischief. Had the Proviso become a law it would have been ineffectual. If the succeeding Congress had been determined, as the movers of the Proviso imagined they might be, upon establishing slavery in any part of the territories, it would have been as easy to rescind the Proviso as to do the thing so much feared. Would such a Congress have allowed itself to be shackled by such a Proviso? Would not the South then have argued for, as they have now against, the full sovereignty of the nation over its territory? Nay, would not they have claimed that this Proviso was an attempt to defeat the just and necessary legislation of succeeding ages? Would they not have

argued that it was no law, but the effort of a feeble majority to establish a fundamental law?—the effort of the majority of two or three to establish a principle of legislation for all future times? Would it not be easy for a Congress, roused by such considerations, to rescind the Proviso?

Money was to have been appropriated for the addition of new territories to the Union, on the condition that, in the event of acquiring such territories, slavery should not be permitted or established upon them. Should not be established by whom?—by the general government? But in case the majority of the succeeding year chose to disregard the Proviso, before whom lies the appeal? The Proviso was not to be a clause in the Constitution, but an act of a mere majority, reversible by a succeeding majority; it was the mere majority of one year attempting to control the majority of the next; it was, therefore, in this sense, an impolitic measure,—as its very enactment would have weakened the cause it was intended to support, and would have drawn on the party of the South to attempt a direct legislation in favor of the establishment of slavery in the territories. It was the evident supposition of the Proviso that such an attempt would be made, and the supposition that it would be made couched in the form of law, would have ensured its being made.

It was a sullen spirit of opposition, a suspicious and a sullen spirit which dictated the form of the Proviso—a childish plucking at the skirts of one who has irresistibly moved by us. It implied, indeed, had it passed, a full confidence in the right of Congress to legislate for the territories, but its movers did not rely upon the direct exertion of that right; it expressed in them a fear that when the territory was acquired, it would not be in their *power* to prevent the extension of slavery upon it; it was a confession of weakness. If we are resolved that no part of the new territories shall be given up to the South, and deem it not only constitutional, but politic, to wrest them away—if we hold the consequences of such a measure in light estimation, let us legislate effectually. If you can obtain a majority for a Proviso attached to a bill, you can obtain a majority for an entire bill. We say, then, bury the Proviso out of sight,

with all the odium and unpopularity attached to it ; never speak of it again ; what you have to do, do openly, directly and manfully, and clutch no more at the tail of the lion, but sieze him by the jaws.

But it is not with the Proviso that we are at present occupied, it is with all and every species of legislation for the prevention of slavery in the territories of the Union. It is against the policy, not against the abstract justice or constitutionality of such measures that we are arguing.

Deprecating, as we do, every measure which will tend toward the establishment of slavery on the territories, and holding such extension among the greatest evils to be combatted, we are still averse to the employment of the direct constitutional power of the government for its suppression.

We now invite the reader's attention to a brief view of the lines of policy severally indicated by President Taylor in his Message of the 21st of January, and in the subsequent resolutions offered by Mr Clay, touching upon the various topics in agitation between the South and the North.

The policy of both is pacific and conciliatory. Neither the President nor Mr. Clay concede anything to the passions of either party, but rather demand of each important concessions, both to the necessities of the times and to the higher interests of the nation as a whole.

Seriously alarmed at the prospect of a long continued contest between the North and the South for the possession of California and New Mexico, the President was not slow in urging upon the people of that territory the only course which promised peace and security to the Union. The Hon. Thomas Butler King, Bearer of Despatches to California, was instructed by the President to advise the people of that territory to make an early application for admission into the Union. He "did not hesitate to express to them his desire" that each Territory should form a plan of a State Constitution, and submit the same to Congress, with a prayer for admission as a State. Under the Constitution, every State is the founder and regulator of its own municipal laws and domestic institutions. "The subjects thus left exclusively to the States were not designed or expected," says the President, "to become topics of national agitation." "Still, as, under

the Constitution, Congress has power to make all needful rules and regulations respecting the Territories," "every new acquisition of Territory has led to discussions," whether slavery should not be prohibited in the new Territories. "The periods of excitement from this cause, which have heretofore occurred, have been safely passed, but during the interval, of whatever length, which may elapse before the admission of the Territories ceded by Mexico as States, it appears probable that similar excitement will prevail to an undue extent." The President thereupon earnestly recommends the admission of California, as soon as may be consistent with propriety.

The policy of the President in the treatment of the claims of Texas to the territory of New Mexico, differs not in purpose or in *principle* from that offered by Mr. Clay. He proposes that the territory shall be left *in statu quo*, defended by the general government from the invasion and inroad of its barbarous neighbors, and suffered to form itself as rapidly as possible into a State, which shall then make application for admission into the Union. After the admission of New Mexico as a State, the boundary dispute between herself and Texas can be brought before the Supreme Court of the United States and adjusted by the principles of the laws of nations.

As it is impossible to improve upon the style of this admirable Message, or to condense its statements, nothing but want of space has prevented our quoting it entire.

"Any attempt," say the President, "to deny to the people of the State the right of self-government, in a matter which peculiarly affects themselves, will infallibly be regarded by them as an invasion of their rights; and, upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of the American people. To assert that they are a conquered people, and must, as a State, submit to the will of their conquerors, in this regard, will meet with no cordial response among American free-men. Great numbers of them are native citizens of the United States, not inferior to the rest of our countrymen in intelligence and patriotism ; and no language of menace to restrain them in the exercise of

an undoubted right, substantially guaranteed to them by the treaty of cession itself, shall ever be uttered by me, or encouraged and sustained by persons acting under my authority. It is to be expected that, in the residue of the territory ceded to us by Mexico, the people residing there will, at the time of their incorporation into the Union as a State, settle all questions of domestic policy to suit themselves."

It is understood, that the State of Texas has no remedy against any decision that may be made against its claim to the territory of New Mexico by the general government. The question is one over which the Supreme Court has no jurisdiction; the previous decision of Congress being necessarily a law to them.

In regard to the admission of California, Mr. Clay is explicit. He holds the same opinion and offers the same line of policy with that adopted by the President.

For our own part, we confess to have been more astonished, and to have had our confidence more deeply shaken, by Southern opposition to the admission of the new sovereignty, than by any previous action of the extreme Southern party.

It is understood that in California, out of 15,000 votes or thereabouts, some 800 or 1000, only, were opposed to a State Constitution adverse to slavery. Such a vote is equivalent to unanimity; it is the voice of an entire people; it is a voice, which, if not listened to, will perhaps make itself heard in other and more formidable accents. Are the South so jealous of State sovereignty? do they hold the voice of a sovereignty in such high respect, in such a sacred regard, and do they believe that a piece of parchment, or an entry in the records of Congress is the divine source from which it sprung? Do they believe that there is no State, no people in California, until they, the majority of one, have decided that there shall be?

Would the revolt of any portion of an American Republic, and the establishment of an independent sovereignty, be a thing wholly new and unheard of on this continent? The road across the deserts is perilous for our troops; and how is it with them when they arrive in California? They fraternize with the people, and desert to the mines. We cannot carry on a successful war against California; we cannot drive

her into the adoption of a Constitution of our own making. We must receive her—we, the sovereignties—as an equal, and a sister sovereignty; or, if she be of our own spirit she will turn from us in contempt. What need, then, to enact laws for the suppression or the establishment of slavery in California? for that is one of the points at issue. But, perhaps, the deserts are in danger of the slave-holder; the steep defiles and arid plains of New Mexico are in danger of cotton and sugar cane. Nature has settled all that; why legislate against nature? Legislation in such a spirit, shows not merely a want of magnanimity, but a want of prudence. If a law is not intended to effect an object, but merely to express a passion, it is, indeed, a blow struck into the air; but it is a shaking of the fist at the adversary—a passionate hectoring which will not fail to rouse him to some resentful action, or at least awaken contempt.

The general doctrine of the Resolutions offered by Mr. Clay is, that although the *power* of Congress to make laws for the territories is undeniable, it is, at the present moment, and, under existing circumstances, not only inexpedient, but unnecessary to legislate for them in regard to slavery. That institution having been already forbidden by the laws of Mexico in New Mexico and California, and by the Resolutions of Annexation in the territory lying north of 36 deg. 30 min., what need of any farther legislation upon the subject? If slavery must needs be brought upon the new territories, let the responsibility of this introduction rest upon the new sovereignties which are to be formed upon it. * * * Mr. Clay urges, that it is proper for both sides, in this great controversy, to make concessions; we conceive the line of policy which he has pointed out for us, to be at once humane and just, and worthy of the eminent position, a position of mediation, in which Mr. Clay has been placed by the universal respect of the nation; he is held to be a person of sufficient dignity to offer resolutions of mediation and concession; the nation have permitted him to do this; have applauded and encouraged him in it; and already the spirit of toleration and forbearance begins to temper and subdue the heat of party animosity in all parts of the country where the resolutions, and the argument

which defends them, have been read by the people.

Because slavery does not exist in the territories acquired from Mexico, and is not likely to be introduced there, that is the reason why it is unnecessary, and, therefore, inexpedient for us, to legislate upon the subject.

In regard to the treatment of the claims of Texas upon the United States for the territory of New Mexico, which she calls her own, wishing to include the most populous part of that territory within her own boundaries, Mr. Clay has offered a line of policy somewhat different in principle, though identical in aim with that offered by the President. Claiming for the general government an unquestionable and undivided power of deciding the controversy and fixing the line of boundary, he advises that a certain portion of the debts of Texas shall be assumed by the general government, in compensation for the resignation, by Texas, of all pretensions on her part, to the territory in question. That then, a boundary shall be given to her, adding largely to her extent, and yet not including the populous parts of New Mexico, nor impairing the integrity of that territory, so soon to become an important member of the Union.

The language of the resolution of Annexation is, that "Congress doth consent that the territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State;" leaving the ascertainment of the boundary for a future time, as follows: "Said State to be formed, subject to the adjustment of all questions of boundary, &c., &c."

Mr. Clay argues, that as Mexico and the United States, conjointly, might have fixed the boundaries of Texas, the power now lodges solely in the United States, which was jointly possessed and exercised by her with Mexico.

How is it with regard to the limits of new States? (we add of ourselves.) The people of a certain territory petition to be made a State, with certain boundaries; their petition is granted, with such boundaries as Congress, in its wisdom, may see fit to mark out upon the domain; and this is the mode in which the boundaries of new States have been defined.

Mr. Clay adds, that *possibly* after the

boundary has been fixed by the United States, Texas may bring the question before the Supreme Court. But that "there are questions too large for any tribunal of that kind to try,—great political questions, national, territorial questions, which exceed their limits;—for such questions their powers are utterly incompetent." He will not insist that this particular question is beyond the range of the court; but he claims that the United States are now invested solely and exclusively with that power which was common to both the contracting parties, to fix, ascertain, and settle the western and northern limits of Texas. He contends for the full power of the Government, under a clear and obvious necessity, to dispose of any portion of its territory, as the public good may require, when the limits of that State are ascertained. With regard to Texas, all is open and unfixed. The territory was purchased from Mexico at the price of \$15,000,000, and a costly bargain!! and Texas cannot claim, as her own, what has been purchased by the nation.

Mr. Clay proposes that as Texas had incurred a debt before her annexation, for which her revenues were pledged, the people of the United States, being in the enjoyment of those revenues, may, with propriety, pay a portion of this debt. He states, that in the resolutions of Annexation it is clearly stipulated, that, in no event, should the United States "become liable for, or charged with any portion of the debt or liabilities of Texas;" but, says Mr. Clay, there is a third party, who was no party to the annexation, that is to say, the creditor of Texas, who advanced the money on the faith of solemn pledges made by Texas to him to re-imburse the loan by the appropriation of the duties received on foreign imports.

By the letter of the law, and the terms of the resolutions of Annexation, we are not under any obligation to assume any portion of the debts of Texas. But if we should, from other considerations, see fit to do so, then there is a kind of propriety in our assuming that portion for which the revenues were pledged.

The policy of Mr. Clay differs from that of President Taylor, in the single point of the method by which the boundary between

New Mexico shall be ascertained. Both agree as to the sufficiency of the laws of Mexico, still in force there, to render any action of Congress upon her territory, in regard to slavery, unnecessary. Mr. Clay, indeed, advises the establishment of a territorial government, by which a line of boundary must, of course, be adopted. President Taylor would only protect the people of New Mexico from aggression, until they shall be strong enough to form a sovereignty of their own, and then have the question of boundary settled by the Supreme Court.

The plan of Mr. Clay is probably the one most acceptable to Texas, and, perhaps, to the South generally, were it not for the prejudice of that portion of the Union against the exercise of power necessary to the fixation of the boundary. It is also, in all probability, the one that will be received with greatest favor in New Mexico, as it promises a speedy protection and liberation. The inhabitants of that territory have sent a petition, requesting the establishment of a more efficient government to protect them against the inroads of the Indian tribes, from which they represent they are suffering dreadfully at the present time. They are also strongly opposed to Union with Texas: considerations, which will ensure the popularity of Mr. Clay's plan of legislation. That of the President, on the other hand, avoids much argument, and leaves the question of boundary to be settled by a competent tribunal, if indeed there is any evidence upon which the Court will find it possible to found a decision.

Of equal moment in this formidable controversy is the question of the abolition of slavery in the District of Columbia. Mr. Clay argues against it; not upon the ground of its unconstitutionality,—for he contends that the *power* of Congress to legislate for the district is unquestionable by the very words of the Constitution itself, but because it is necessary to have regard to the intentions of the ceding States, out of whose territory the district was originally composed. All that remains of the District at present, is that which was ceded by Maryland, the portion given by Virginia having been subsequently retroceded to that State. The power to abolish slavery in the District does not indeed lodge in Maryland, and it there-

fore most evidently resides in Congress itself. But it may be highly improper and inexpedient,—perhaps it may even be an act of tyranny and dishonor—to employ that power in this particular instance.

Mr. Clay urges that it never could have entered into the thoughts of the people of Maryland and Virginia, when they made the cession of their territory, that slavery would be abolished in the District before it was abolished in their States; and it would be taking an unfair advantage of them to make use of their gift in a manner contrary to their wishes. This is the argument from dishonor. It is necessary also to consult justice. If slavery is abolished in the District, the owners of the slaves must be fully compensated for their loss; and, moreover, as the wishes of the people ought, in all important cases, to be consulted, the assent of the inhabitants of the District must be obtained, if we would remove from the act the imputation of tyranny. The people of the District have no representation; and, it is, therefore, necessary to use the greatest delicacy and caution in making laws for them, and to consult their wishes in so momentous a matter. These conditions must all be fully satisfied, Mr. Clay argues, before it can be either just, honorable or expedient to abolish slavery in the District of Columbia.

In regard to the slave trade in that District, however, Mr. Clay speaks of it in terms of the severest condemnation and abhorrence, and would have it immediately abolished, by authority of the general government.

It seems, at first view, an intolerable thing that the seat of government of a free country should be contaminated by the presence of a slave. This is the enthusiastic view of the matter: we forget, in indulging it, that the District, being chiefly inhabited by officers of the government, and representatives of the entire nation, does necessarily, in itself, represent not merely the free, but the slave States. Southern Representatives residing in the District, become citizens of the District. They, of course, bring with them their domestic servants, to whom they are personally, often tenderly, attached. It is necessary to pay a regard to their feelings, in this matter at least. The District represents the entire nation, and the domestic

institutions of every State in the nation ; a consideration not merely therotic, but very practical ; and which, lying as it were latent, and unrecognized, in the mind of Northern legislators, has made them hitherto extremely reluctant to employ the power of Congress against slavery in the District.

In regard to the securing and restitution of runaway slaves, the action of the Northern States has been, in many instances, adverse to that provision of the Constitution which requires it. Mr. Clay hopes that the Legislatures of Northern States may be induced, by calmer considerations, to retrace their steps in this direction. We conceive that the opposition of some portions of the Northern people to the redelivery of slaves, has arisen from the very general opinion entertained there that negroes are badly treated by their masters in the South ; that they are made merchandize of, and bought and sold without remorse. This opinion has arisen chiefly from the observations of Northerners residing in the District of Columbia, where they see a traffic in slaves carried on within sight of the Capitol. The abolition of this traffic, it appears to us, would be not merely a humane, but a highly politic measure for the South, and would serve to quiet excitement and agitation.

Mr. Clay's last resolution, that Congress has no power to prohibit or obstruct the trade in slaves between the slave-holding States, seems to be almost a necessary deduction from the admission of a sovereign power in those States over the institution itself. The owner of a slave, in one State, is also the owner of him in the State adjoining ; he, therefore, has an unquestionable right to move him across the boundary, unless forbidden by one or other of the two sovereignties themselves.

Laying aside, for the present, all propositions for a direct legislative prohibition of slavery in the territories, not as they are unconstitutional, but as they are ill-timed and unnecessary, we come upon the second line of policy which has been proposed—the policy of establishing a line of compromise on one side of which slavery shall be prohibited, and on the other, permitted, if not tacitly established.

The objections to this measure are obvious and insuperable.

Whatever line is adopted will be, of ne-

cessity, a shifting line ; it cannot be fixed upon any equitable principles. If an equal division of territory is to be made, (and it is now necessary to exclude California, she having declared against the introduction of slavery ; and New Mexico is in a fair way, also, to take a similar course with her sister territory,) between the North and the South, it will be either equivalent to a direct legislation, establishing slavery in one part of the territory, and forbidding it in another ; or it will be a measure wholly useless and of no avail to the South.

By whatever means the introduction or prohibition is legalized, whether by a joint resolution of compromise, or by an act, or a proviso attached to an act, such legalization by act, by resolution, or proviso, will be an implied denial, a giving up of the great doctrine of the South,—for which it has contended so stoutly,—that Congress has no power to legislate for the territories. Adverse to that doctrine, and insisting, for our own part, on the constitutionality of a *direct* legislation for the entire territory, we are unwilling to admit the *principle* of such a compromise as has been proposed, as a basis of legislative action.

The establishment of a line of compromise, dividing one part of the territory from another, is a division of what ought not to be divided ; a division of sovereignty ; it is a denationalization of the public councils ; we even doubt the constitutionality of the measure. The North enjoys as full and complete a sovereignty over the new territories as the South ; and is it allowable for a majority in Congress tacitly to yield the power of legislation, the sovereign power which is inherent in the North as truly as it is in the South—which is inherent not in any one State or group of States, but in the entire nation ? Not so, however, in case the power were expressly reserved of legislating in future for the territory South of the line as might seem expedient : but the South would not agree to any reservation ; if a line is adopted the adoption is final.

Mr. Clay is opposed to the adoption of a line. Were the line established, he says, it would be illusory to the South ;—that slavery will not establish itself there, being already interdicted by nature, and the fiat of the people in California and New Mexico : and it would be mere madness to at-

tempt a direct legislative action, establishing slavery where it is interdicted, both by nature and by circumstance. He says that if slavery be interdicted north of the line, the South will have gained nothing, unless it be established by the same act, south of the line; but that is an impossibility: there could not be twenty votes got in favor of it. It has been said, he continues, that non-legislation on this point, in regard to California, implies the same thing as the exclusion of slavery from that region. "That," says Mr. Clay, "we cannot help: that, Congress is not reproachable for. If nature has pronounced the doom of slavery upon those territories—if she has declared, by her immutable laws, that slavery cannot and shall not be introduced there, whom can you reproach but nature, or nature's God? Congress we cannot;—Congress abstains;—Congress is passive;—Congress is non-active in the plan which proposes to extend no line;—leaves the entire theatre of these territories untouched by legislative enactment, either to exclude or admit slavery." "I ask again," he continues, "if you will listen to the voice of calm and dispassionate reason,—I ask of any man from the South to rise and tell me, if it is not better for his section of the Union that Congress should remain passive, on both sides of any ideal line, than that it should interdict slavery on one side of the line, and be passive in regard to it on the other side of the line?"

A compromise line adopted by resolution, is an act equivalent to the establishment of a fundamental law. Though it be not an act in a strictly legal sense, it is a something more than an act; it is more effectual, because it is irreversible, irrevocable, and cannot be repealed. It is a resignation, or rather a division, of the highest function, that of sovereignty over persons, by a mere majority, between two sections of the nation. We say, therefore, it is equivalent to a fundamental law, and in so far as it has any effects whatever, must have the effects of such a law.

A line of compromise, to be an equitable line, should be a shifting line; nor should it be a parallel of latitude, as it is a division of property,—nay, more, a division of sovereignty; it must be drawn, if justly, with regard not merely to the extent but the probable *value* of the territory so divided.

It must be a shifting line, because with every new addition of territory a new division must be made. Should the line be drawn through New Mexico, and a portion of that territory given up to the South, and the division regarded as an equitable one, no sooner then shall we have added Cuba, or, by cession from Mexico, the countries south of Texas, the line has ceased to be equitable and must be moved farther south. We need not speak now of Canada, though it is easy to see how the addition of the two Canadian States, with the vast territories attached to them, would rouse the jealousy of the South, who would then demand a re-adjustment of the line, were its position unsettled, or if not, then the purchase of more territory to maintain the balance on their side.

But the adoption of such a line implies an idea, false, and contrary to nature, of the causes of this great controversy. The people of the North, looking upon slavery merely as a form of government, and which might be erected upon any soil and in any climate, have placed too little confidence in nature and necessity. They have not considered that slavery cannot be carried out over the prairies of the West, or into the defiles of the Rocky Mountains. The growers of cotton, of tobacco, of rice, and of sugar, seek out such fields as are suitable to the products which they cultivate; and these are the only products to which slave labor can be profitably applied; there is a limit to this institution, beyond which if it is attempted to be forced, as it has been in some parts of the continent, it is depressed and extinguished by the slow but certain operation of natural laws. Such was the fate of slavery in Connecticut, in New York, in New Jersey, in Pennsylvania, and such, beyond all reasonable doubt, must be its fate in Delaware, in Maryland, in Virginia, in Tennessee, in Kentucky, and in Missouri. The negro laborer thrives in climates where the white laborer perishes; negro labor is not profitable excepting under circumstances peculiarly favorable; the crop must be one of four kinds, already mentioned; for though maize and other grains are largely cultivated at the South, they are not counted among the great sources of wealth: were corn to be the only export of the South, her wealth might be soon counted. The

fixing, therefore, of a line of compromise would be, in another sense of the word, a compromise of the laws of nature.

Were the line so drawn as to embrace countries in which negro labor is unprofitable, the institution of slavery would be forced out upon territories wholly unfitted to receive it—territories like New Mexico and California, where the labor of white men, artisans and tillers of the soil, is not only possible but profitable. Governments have a weighty responsibility in directing the course of the emigrant; in preparing the way for him; in showing him to what lands, to what waters he should repair,—in preserving him from the rapacity of speculators, and from the disastrous effects of his own ignorance. But it is perhaps all in vain to speak of these things in this age of "individual enterprise." Governments have now only to bury the dead, if we accept the tenets of a certain school.

Visions of colonial prosperity are dashed by the experience of a single man; if one man cannot make wheat grow in the deserts, a thousand never will; if rice and sugar abhor the climate of New Mexico, if cotton refuses to be profitable there, the South will storm and legislate to little purpose. The master may take his slaves into a new region, to contend there with new difficulties, but it were far better for him to give them a new discipline, to give a new direction to their energies at home, than to follow a dream. But when the madness of the private man is stimulated by legislation, when he is gravely sent to his ruin by Senates and Houses of Assembly, then comes calamity indeed; and the State buries her citizens in the wilderness, she buries her treasures there, something better than gold,—the spirit and the energy of young adventure.

And what is the origin of this monstrous procedure? this attempt to force out the institution of slavery upon soils unfitted to sustain it? To maintain what? The **BALANCE OF POWER!**

There are now fifteen against fifteen. California, New Mexico, the coming States of Oregon and Minnesota, and perhaps the two Canadas, will turn the scale; and then, what becomes of your Balance of Power? We have admitted Texas; we are bound, therefore, by obligations as solemn as oaths, to admit California. When the Canadas

offer, we must accept them too; Minnesota and Oregon will have to be received; with decency we cannot refuse them. At best, we can only defer and procrastinate; they must come in; they are knocking at the door, and if we, the door-keepers, refuse them entrance, the nation will, without much controversy, elect new door-keepers more hospitable than we.

Balance of Power!—who holds it? Who is it that wedges in this detestable delusion between the Northern and Southern sides of this body of one soul and one life? The States of Europe, existing in a condition of perpetual hatred and alarm, held together by no principle of right, no declaration of liberty, but if at all, by temporary and interested alliances, confessions of mutual weakness or wickedness; their governments, the prize of every military adventurer; the system itself a chaos, changeable as rolling smoke clouds, which assume every instant a new figure and position; to-day, a monarchy, and the affiliation of monarchies; to-morrow a revolution, a demagogue changing swiftly into a despot, and then an expansive and soon collapsing empire,—in such a chaos, what can England do for herself, but maintain a **BALANCE OF POWER?** England holds the Balance of Power for Europe; wisely and prudently for the most part, with a clear head, and an unflinching resolution, she watches the contending powers of the continent, and, when the scale turns to her own disadvantage, hurls in her cannon and her ships to make the balance again even. England holds the Balance of Power for Europe; but who holds it here? There is no analogy. America contemns, denies and denounces this doctrine of divisions. Late in the day we have this new delusion of a Balance of Power, sprung upon us by the State of South Carolina. Is she the third party, forsooth, between the Northern and the Southern halves of this great empire, of this nation of twenty millions, absorbing a continent, and holding the destinies of arts, arms and commerce in her hopeful future?

In the closing remarks of his speech, Mr. Clay alludes, with great force, to the consequences of a dissolution of the Union, or to a secession from it, of any portion of the slave States. Were the Union dissolved, it would be no remedy nor redress

of grievances for the South; the territories would not thereby be converted into slave territories. In the event of this dissolution, slavery would not be restored in the District of Columbia had it already been abolished there. Were the several States independent of each other, slaves escaping into the non-slave holding States, could never, in any instance, be recovered. Where one slave escapes now, hundreds and thousands would escape if the Union were dissolved, no matter where or how the division might be made. The attempt to recover these slaves upon the borders would keep up a perpetual civil war, until slavery in the border States of the South was extinct and every negro converted into an insurrectionist. "In less than sixty days" after such an event, "war would be blazing in every part of this now happy and peaceful land."

But more forcible than any reasons from expediency, is the well established doctrine which Mr. Clay here enforces in his most eloquent and powerful manner, that the secession of a State is impossible without an entire destruction of the system. Were that system broken up, "there would be a confederacy of the North, a confederacy of the Southern Atlantic slave holding States—and a confederacy of the Valley of Mississippi. "My life upon it, the vast population which has already concentrated, and will concentrate, on the head waters of the tributaries of the Mississippi will never give their consent that the mouth of that river shall be held subject to the power of any foreign State or community whatever. Such, I believe, would be the consequences of a dissolution of the Union, immediately ensuing; but other confederacies would spring up from time to time, as dissatisfaction and discontent were disseminated throughout the country—the confederacy of the Lakes, perhaps the confederacy of New England, or of the Middle States. Ah, sir, the veil which covers those sad

and disastrous events which lie beyond it, is too thick to be penetrated or lifted by any mortal eye or hand." The distinguished orator declares that he is for staying within the Union, and fighting for his rights, if necessary, within the bounds and under the safeguard of the Union. He will not be driven out of the Union by any portion of this confederacy. One or more States have no right to secede from the Union. "The Constitution was not made merely for the generation that then existed, but for posterity—unlimited, undefined, endless, perpetual posterity," and every State that has come into the Union has bound itself by indissoluble bands, "to remain within it by its posterity forever." There can be no divorce—there must be conciliation and forbearance. War and dissolution are inseparable—a war, terrible, exhausting, exterminating, until some Philip or Alexander, some Cæsar or Napoleon, should arise and cut the Gordian knot, and solve at length the problem of the capacity of man for self-government.

In the course of the preceding argument against the expediency, *first*, of a direct legislative action upon the territories, and *second* of the adoption of a line of compromise, we have sufficiently developed the principles of the *third* line of policy, which has been so ably indicated and defended in the Message of the President and the resolutions and speech of Mr. Clay. This policy neither assaults the prejudices, nor compromises the principles of either section. It is based upon the general opinion of the nation, that slavery is not a system which we should desire, for its own sake, to see extended, and which ought indeed to be restricted; but that the necessary restriction having been already made by nature, and by circumstance,—it would be unwise, to say the least, to move at the present junction, for any legislative action, either by compromise, or by direct prohibition, against the extension of slavery.

SHIRLEY, JANE EYRE AND WUTHERING HEIGHTS.

THESE brilliant novels are written by kindred hands, and shew a marked resemblance of mental powers in their authors, and as strong contrasts of character. The knowledge displayed of the springs of human conduct, is wonderful, as is the dramatic power, which, in a few bold touches, brings the strongest but most truthful phases of character before us. Both writers, too, are wanting in that inferior creative genius which makes mere narrative interesting. Their plots drag heavily along; and we bend over the pages, as gold-diggers over yellow sands, in search of hidden treasures. This defect injures their power of portraiture, and some scenes are failures, plainly from inability to weave incident to clothe the fair conceptions of their fancy. But this dullness of the back-ground increases the vividness with which the main figures are thrown forward. The life-like effect is indeed so great, that, with Shakspeare's characters, no one doubts their existence. Jane Eyre, and Rochester, and Shirley, as well as Hamlet and Juliet, live, and are very well known to all that have once read of them; they are choice acquaintance, and have more reality to us than nine-tenths of the men and women we shake hands with, and salute every day of our lives. But not merely in character do these novels excel; they are the best love-stories we have ever read; and first in this respect—let not our fair readers shudder—stands *Wuthering Heights*. This book tears off, roughly enough, the tinsel from passion. It has no interest of plot, range of character, or the chivalric attributes that love gives birth to, or rather displays; but we have the man, harsh, pitiless, wolfish, without a spark of kindness for the woman whose passion yet fills his whole life, with less than kindness for his fellow-men; a human wild beast, uncommon but not unnatural, of whom there are many around us muzzled by society, and who show their fangs only in troubled times. The woman, too, equally dead to

pity, but without downright malevolence, is bright and biting as a clear day in winter. The passion of these human tigers for each other is pure love, or rather *sheer* love. Selfish—as all love is in its essence; not sensual, for it is a woman that writes—fierce and frenzied. Their passion-plaints are “beautiful exceedingly.” Thoroughly selfish, for they are without those traits that re-act on love and redeem it of its selfishness. Parrhasius-like, they would have doomed each other to hideous tortures, to have drawn forth one gasp of passion. Without the shadow of remorse for the share he had in her fate, he lives through many years with his heart moaning for his love; he hears her in the wailing winds, he sees her in the midnight mists; when he dies, worn out by his heated brain, the hope that smiles on his brow is to have his place in the church-yard corner where she lies; brighter than heaven to him, to lie by the side of the dead woman.

Equally truthful, though less wrought up, are the love-scenes in *Jane Eyre* and *Shirley*; less wrought up in the portrayal of passion, they involve a greater knowledge of character, and in one respect are complete studies. So far as they go, they present a perfect analysis of love. They point out the mental and moral traits for which, and for which only, men and women love each other. Personal beauty is mental beauty shining through the form and features. A thick opaque countenance may hide the beautiful soul within; distorted features may caricature it, but the assistance that regular features give is negative; they are the *tabula rasa* on which our hearts write their stories. In the painting of this inward comeliness, the writer shows all her strength. She wastes no time on the mere appearance of her heroes, and in skilful touches pictures how the hearts of her women are won by manly qualities alone; manly *qualities*, not acts. The purposeless lives of the men in these books is objected to, and cited as a proof of the

writers being women. The conclusion is good, but the objection fallacious. The common error in literature is the representation of passive emotion by action. Feeling is quiescent.

"As when a bell no longer swings,
Faint the hollow murmur rings."

Character is shewn as much by the fire-side as in the battle of life; and women, who are the quickest to perceive native force, see nothing of men in their struggles with the world. Our manners with them are trimmed to as unvarying a standard as our coats or our whiskers; but a single word or tone, a flash of the eye or quiver of the lip, and the strong heart is bared to these quick observers. The still life of these novels is well fitted for this delicate training; and admirably is it accomplished. The strong soul in man is beautiful to women; still more so the strong soul that is "tender and true." Force and gentleness compel their love. Shirley, who already knows that Gerard is a man among men, unmoved by danger or disaster, self-reliant, unflagging in the pursuit of his foe, is told by Caroline that he is, among those he loves, gentle and considerate. Shirley is instantly struck with his personal beauty.

"I know somebody to whose knee the cat loves to climb; against whose knee and cheek it likes to purr. The old dog always comes out of his kennel and wags his tail, and whines affectionately when somebody passes."

"And what does that somebody do?"

"He quietly strokes the cat, and lets her sit while he will can, and when he must disturb her by rising, he puts her softly down, and never flings her from him roughly; he always whistles to the dog, and gives it a caress."

"Does he? It is not Robert."

"But it is Robert."

"*Handsome fellow*," said Shirley, with enthusiasm; her eyes sparkled."

The authoress has slight sympathy for kindness; hence the *action* in this picture. She is fully alive to magnanimity; hence its dramatic truth. Its deep philosophy comes from the heart of a woman, not the brain of a man.

The character of Louis More, and the scenes in which he bears a part in the latter part of the book, are, in a degree, fail-

ures. The materials were poor, and the author's constructive powers unequal to the task. The tutor, the maiden, and a choleric old uncle, together with the, perhaps, intentional poverty of the plot, were too much, even, for this writer. Bulwer would have worked up the same materials to intense interest, but he never could have given utterance to the beautiful thought that was vainly struggling in the brain of the authoress of Shirley. She wished to draw the Apollo of a heart which less than Apollo could hardly fill. What such a heart could comprehend, it could not love. Shirley saw that Gerard had worth, knowledge of men, simple dignity, and he excites her woman's admiration. She saw, too, his self-ignorance and narrowed sphere of thought, and he fails to move her love. The writer wishes to paint a man superior in every respect to this noble-hearted, noble-minded woman. Inferiority in the man, of any kind, even conventional, destroys the perfection of love. This trait she paints in two words.

"My pupil,"

"My Master."

Before he can speak of love to her, he escapes from their present social position, and reverts to their former relations of teacher and scholar.

Lamartine in Raphael forgets this point when he makes his hero sit a snubbed youth in a corner, while his mistress, as a woman, is treated with deference by the assembled savans. Our authoress wishes to paint the ideal that is in every woman's heart.

Such a man never trod the earth but once. His story is simple and old. But the manhood of that man has never been repeated. She could do no otherwise than fail.

The scene between the lovers and the testy old uncle, ends in a caricature. Such a character as the tutor's should hardly indulge in vulgar violence; at any rate, it should have been demoniac. Heathcliff, in Wuthering Heights, would have thrust the offender by the head into the burning grate.

Caroline, is a character the masculine readers of this book will delight to dwell upon. Submissive, sympathizing, truthful, seeking support for her gentle nature, she has for Gerard all that boundless devotion that Shirley could also feel, but only for superhuman perfection.

The fervor of manly love is drawn with

great effect, but with less analytic nicety ; a woman herself, she cannot fully understand the feelings of men.

One defect running through these novels is, the unintended refinement even in the coarser personages. Women seldom know, unless by dire experience, the full brutality, or rather brutishness, of bad men's hearts. The submissive character of women tends, in imperfect natures, to meanness ; the rugged force of men, to brutality. The feminine fault, consequently, is shewn with great accuracy in the wife of Heathcliff ; the masculine error is nowhere completely described. There is a refinement of nature even in the vampire Heathcliff, amid all his hideous harshness. The very awkwardness with which the writer puts an occasional clumsy oath in his mouth, is an instance of this.

The elements of character worked up in these books are *phrenological* ; and the general interest they have awakened, is a strong tribute to that slumbering science. That angular family, the Yorkes, are a phrenological study. The censorious, strong-minded Mrs. Yorke, with her jealous envy of the young and fair : Yorke himself, like a dry wine, harsh to the palate, but of delicious bouquet. His democracy, however, is not in keeping. His want of veneration would have made him merely indifferent to social distinctions,—a poor man, he might have been a noisy democrat, but not an earnest one : a rich man, he would have sided with those that suited his tastes. Large veneration is required to respect ourselves or respect others, both of which feelings we must have to feel the stings of caste. We suspect, if Yorke was drawn from nature, there must have been a spice of vulgarity in the original, which, assuredly, there is not in the sketch ; and he naturally contemns what he cannot attain.

The curates, in Shirley, are a fine group, and stand out in bold relief from the rest of the book ; the more so, that they seem to have nothing in the world to do in it. They shew strongly the authors inability to manage the mere frame work of a novel. Her mind teems with analysis of character, but wants power of artistic development. Donne is a gem. Self-esteem in some combination, thin-skinned, and all raw nerve, when alone, and unrestrained, wears a perfect coat of mail. Scorn, ridicule, contempt, are all wasted on its brazen front ;

and Shirley's lively mode is absolutely the only way to deal with it. Dead to all shame, or praise, or blame, and alive only to interest and self-importance, it forms what are called impracticable characters ; men utterly unwarmed by moral influence or noble personal traits, and yet hindered by no foolish sensitiveness in carrying their own points. *Any* man, at *any* time, for *any* purpose, is their golden rule. Their obtuseness they complacently call energy, and the world as complacently believes them.

These writers invariably fail in benevolent characters. Whatever is within the compass of their own varying moods, they can accurately and dramatically portray. Beyond that no one can go. Feelings wanting in our own breasts, we can no more comprehend than a man, born blind, can light. Lack of conscience thinks right and wrong conventional forms. *Unbenevolence* calls pity, ostentation or weakness ; and when experience forces it on us that these are really windows of the soul, which in ourselves are darkened, we still see only *acts*, not to be explained but by a moral sense unknown to ourselves. Hence, the tameness of the benevolent personages in these novels. In fact, there are none. Sometimes it is sympathy of man with man ; sometime it is weakness. Caroline, the assemblage, otherwise, of all that is perfect in woman, sympathizes fully, but sympathizes only, with the governess. Mr. Hall sympathizes with the pauper ; at other times he is only a weak, simpering old gentleman. What this defect, however, loses in universality, it gains in piquancy. Every character in the books has a touch of it, and it gives most of their raciness to the Yorke family, Rochester, and Shirley.

In Wuthering Heights and Wildfell Hall, both pity and justice are unknown words. The complete absence of the latter feeling is singular. There is no intention about it ; the writer is clearly unconscious of the want. There is no pruning away purposely to portray a one-sided character. The writer is of false proportions herself. This is plain in the heroine of Wildfell Hall, who tells her own story of her infamous husband, but who, as we read, we feel assured, conceals her own culpability. This character is not true. To benevolence, however, this authoress makes

no pretence, and in this respect her sketches are truthful.

She draws a phase of character not seen in Jane Eyre and Shirley. With few exceptions, her men and women all have the sullen lower of destructiveness. Her young people are tiger-whelps, that cuff each other for play. The whine of affection is followed by the growl of rage. The gloomy depths of her own heart she bares with terrible skill. She paints the wild beast in man, not gorging himself with blood, but in repose; and we shudder at his scowl and mutter, as at the death-roar. It is a perfect anatomy of ferocity. Destructiveness and combativeness in the brain lie side by side, and their mental developments are so closely combined, that to discriminate requires the nicest dissection. We see their combined action in varying shades, from the good-natured fight of the Englishman, followed by "shake hands and be friends," to the hacking and hewing of the Western gladiator with his bowie-knife. But here, there is none of the keenness of combativeness; nothing impulsive. All is sullen; the snapping and snarling of wolves, the hiss of the serpent, the yell of the panther.

From the moral-picturesque of ferocity and tenderness, she works up some scenes of wild pathos. Sweetly across this wintry sky come soft gleams of light, a ray pierces the night, and the gloom of this iron soul changes into drear beauty.

The writer is chary of these touches, and hence the repulsive nature of this book. No simple element, moral or natural, possesses beauty of itself. It is in the combination of contrasts that the heavenly flame bursts forth. The representation of any one feeling is interesting only as scientific analysis; but from the god and the fiend that sit side-by-side in man's breast are evolved the true conditions of sublimity.

In Shirley and Jane Eyre, there is not a single well-drawn female character that is not cast in the Shirelean mould. Caroline strikes us with an appearance of feebleness which by no means belongs to the gentleness and boundless devotion she is meant to personate. The authoress has little feeling of the kind herself, and she cannot distinguish between negation of force, and the traits that give sweetness and pliability to women. Caroline's mind, also, is not of the true feminine cast. Like Shirley's,

it is analytic and shrewd, and not lively, imaginative and tasteful. The writer could only draw from her own masculine mind, and half-masculine soul.

Mrs. Pryor is an utter failure. Mrs. Yorke, on the other hand, one of the best characters in the book, is a matter-of-fact, heavy-minded Shirley. Jane Eyre is Shirley herself, under the depression of caste and wearying duties. This mannerism gives us a complete daguerreotype of the writer. By her works do we know her. Much of her history do we learn; more of herself. She dwells apart, but phrenology will bring this fair star within our ken. Behold her, as she passes over the field of vision.

Her brow is neither high nor wide, but projecting—Kant-like. Her temples, swelling with poesy and dramatic power, gleam white amid her curls. The central ridge of her forehead is the home of her searching thought. Back therefrom, sharp and angular, runs upward the inclined plane of her brain. We look in vain for the gentleness of woman, the pity that soothes, and not degrades. We look in vain for the venerative impulse, that gives life its earnestness and reality; its sadness, perchance, but its grandeur; that raises man to the throne of the god, and fills the heart of woman with devotion and deep truth. But high above, like watchers over the broken wall, sit conscience and resolute will. Queen-like they have quelled the rising of passion, and whispering tenderness. They have urged her patient footsteps, as she plod unfailing over her once dreary path. It is over, and now, like Shirley, "she saunters slowly along; her gait, her countenance, wearing that mixture of *wistfulness and carelessness*, which, when quiescent, is the wonted cast of her look, and character of her soul." A winning smile, not gentle, plays at times over her face. Her greeting is genial and heart-felt; a warm grasp of her little hand; a glad eye-welcome. With ordinary people she is listless and absent-minded; revelry has for her greater charms than the refinements of small-talk. Neither is she a blue-stocking, that neuter gender of intellects. Her mind is simply masculine, bold, analytic and original; keen and earnest in discussion, at home in metaphysical disputation, and eager for the fray. Observing,

but only to arrive at motives; that done, a character once dissected and laid away, she dismisses it from her attention; for at any moment, from the known quantity of a word or look, she can work out the unknown quantities in the formula of human nature. Little humor has she, but much wit; not loving satire for its own sake, when aroused her blade descends with lightning flash.

Less pleasing is the picture we have of the authoress of *Wuthering Heights*. Dark and sad is her soul; a sullen fire is in her eye; her talk is cold and depressing. All weakness, and foibles of poor humanity she pounces on, as vultures on carrion. There is at times a cordial look, a *heartiness* about her, that surprises, and from its unexpectedness, wins. She has some friends in consequence who say she is not understood; that if she is a bitter foe, she is also a warm friend. She is sometimes a warm friend, and always a bitter foe. If she is fair, her beauty is of Pandemonium. She would make a glorious lover, but a very uncomfortable wife. The unfortunate, her husband, her love would make miserable; her hate would give him a taste of purgatory.

Both *Wuthering Heights* and *Jane Eyre* have been reviled for their immoral tendency; the first deservedly enough; the latter, for no good reason that we can see. The influence that novels exert, proceeds almost entirely from sympathy; in other words, the evolutions in our own breasts of feelings similar to those depicted, according to these feelings, is a book, a strengthener of morality, or a fire-brand in society. No feeling, as God has given it to us, is in vain. Each has its proper sphere and limits; and anything that, within these limits, develops emotions that give breadth and force to character, is useful in its degree. It is true, one hour spent in actual exertion of our finer sentiments, is worth days of fictitious life. But novels, we take it, are an amusement. They cheer old age with the joys of retrospection; they divert the mind of youth from the strife of rising passions; and give freshness and relief to middle life. They bring the gay

world to the quiet fireside, and supply the place of more noxious relaxations. We have risen to them from the sports of the amphitheatre, through the tournament, the bull-fight and bear-baiting, the coffee-house and the club.

In this light, then, they are useful. If they do us no harm in our grappling with the stern duties of life, it is well; if they actually assist us, it is better. Sympathy, however, may be carried too far; sentiments may be developed so as to deprive the character of its due balance, or associations thrown around to rob them of their purity. This is the case with *Wuthering Heights*. A degree of ferocity necessary to primitive man, the forest-prowler, wild as the beasts that wrestle with him for his prey, would hardly suit the men of the nineteenth century. Such pictures might give vigor to weakness, iron to the feeble blood; but few men need such promptings. There is enough in the world, and more than enough, to change the kindest nature to gall.

The frenzied love, too, so powerfully pictured in these volumes, fresh and undefiled, free alike from sensuality and sentiment, such as men might have felt when the world was young, is unhallowed; and thus leads our noblest impulses to sympathize with crime. No poetical retribution can destroy influences like these. The moral, in fact, in such books, is a sop to Cerberus, to blind to the effect of a series of prurient and exciting scenes. The soul is seared by blasts from hell, and then told to be strong and fail not.

But in *Jane Eyre*, every thing tends to the side of virtue. The patient plodding through long dull years of toil, so difficult of dramatic representation, is here finely brought out. As we read, our breasts are filled with the sombre dogged spirit that chained the maiden to her duties. When the mystery is cleared up that makes it crime for Jane, or the reader, to listen to words of love, she flees from its pollution; and its voice is no more heard, till punishment frees the man's hands, and purifies his soul.

T. C. C.

BRITISH ENCROACHMENTS AND AGGRESSIONS

IN CENTRAL AMERICA.

THE MOSQUITO QUESTION.

(Continued from page 218.)

[THEN followed another grant, comprehending all the territory south of the river San Juan to the boundaries of New Grenada, including Bora del Toro and Chiriqui Lagoon. This grant was made in the same terms with the first. MSS.]

Another grant, made Feb. 1st. 1839, giving, "Little Corn Island; and," says our author, "it is possible a keg of rum would have procured a similar grant of Mexico or the United States" from the same royal hands.

The assent of the Mosquito dignitaries was obtained in form, and each man made his mark. MSS.]

"These are to certify, that in consequence of the very low price of tortoise shell, on which we and our people depend for our living, it is entirely out of our power to pay our debts, &c. It, therefore, gives us great satisfaction, &c., that our good king, &c., has, by giving a grant of land, freed us from all debts due to those traders, &c., &c., &c."

Signed by the Mosquito dignitaries. [MSS.]

[There were other cessions to other individuals, covering nearly the entire "kingdom."

When the intelligence of these proceedings reached Jamaica and the Belize, it excited great alarm among the government conspirators. Col. M'Donald, the Superintendent of Belize, had "his Majesty Robert Charles Frederick," immediately brought within his jurisdiction, when every effort was made to procure a revocation of

these cessions. But the royal word had been plighted, or rather his Majesty stood in too great *bodily awe* of the Jamaica traders: the attempt failed. Col. M'Donald, however, secured from him the accompanying document, which is certainly a curiosity in regal history.

Here follows, in the English form, the "Will of his Majesty the King of the Mosquito nation," directing, that in the event of his death, the "affairs of his kingdom" should be continued in the hands of "Commissioners, appointed by me, upon the nomination of His Excellency, Col. M'Donald, Her Majesty's Superintendent," as Regents during the minority of the heir. Also, that the United Church of England and Ireland shall be the established religion of the Mosquito nation, forever."

Col. M'Donald and the Commissioners, or Regents, are also made guardians of the "royal" children.

In case of the death of Col. M'Donald, Commissioners are directed to apply to the Queen of Great Britain to fill the vacancy.

Also a request that her Majesty will continue to protect the kingdom of Mosquito as heretofore.

This will was signed by the "king" and the "judges of the Supreme Court of Honduras"!!]

Under this authority, certainly no better than that on which the Shepherds and others claimed their large tracts of territory, M'Donald proceeded to act as

he thought would best promote the ultimate designs of Great Britain. And, strange to say, the British Government pretends to regard this document as legal and binding, at the same time it sets aside all others executed by the same savage!

As observed by a Spanish reviewer, the events which followed were better becoming the pen of Charivari or Punch than that of history. Perhaps villainy and fraud never assumed a more ludicrous garb, than in the subsequent transactions of M'Donald and his associates.

Of course the Jamaica traders, in their new character of sovereigns, were not slow in improving the advantages of their new position. They sub-divided their territories, converting their titles into a sort of transmissible paper, which was negotiated not only in Jamaica and Belize, but also on the 'Change of London. The credit of this paper was, of course, not very high with those who stopped to inquire into its origin; and the standing of the Mosquito monarch among the potentates of the world was not particularly calculated to inspire confidence. But nevertheless, a considerable number of British subjects became involved in the speculation, and talked much of the Isthmus of Nicaragua, with its Oriental coasts and the probability of the English Government extending its power over it, of the opening of a ship canal, and the immense value of the lands on the banks of the San Juan, &c., &c.

Indeed, so far was the delusion carried, that a large sale of the granted lands was sold to a Prussian company, which proceeded to establish a colony upon the coast, at the mouth of Bluefields river, where a shattered remnant still lingers, the miserable victims of fraud.

M'Donald was beset with difficulties. If the claims of the Jamaica traders were recognised and protected on the ground of the proprietors being British subjects, then their subsequent sales were valid, and half the grants were already sold to Prussia, including the mouth of the river of San Juan! This could not be: it would practically defeat the ultimate designs of the Government. There was but one course left, *namely, to procure the revocation of the grants!*

But the influence of the Jamaica traders was too great to be encountered at once.

They were left for a second blow; and the king, although adhering to his own grants and those of his father, was willing to annul those granted by his royal ancestors previously. A Mr. Walker, better known on the coast as "Pat Walker," who was secretary to M'Donald, proceeded to Mosquito soon after, and succeeded in getting the signature of the king to the following document:

REVOCATION, NO. I.

Inasmuch as we and our late predecessor, George Frederic, have been accustomed to make grants of lands to British subjects in our dominions, for the purposes and with the view of cultivating and promoting the colonization of the rich and fertile soil of our coasts, in virtue of which cessions several British subjects and agricultural companies have taken possession and commenced the colonization of said lands; and, inasmuch, as we have just received information of certain pretenders of distinct lands of our territories, in virtue of cessions made by our predecessors, which lands have not been cultivated nor their possession conserved by any agent, &c., and now a period of more than half a century having passed away, the holders of our cessions and those made by our immediate predecessor having made great expenses to commence the colonization of said cessions:

Therefore, be it known, for the satisfaction of the holders of our cessions and of those made by our predecessor, George Frederic, that we annul and make of no value all the anterior cessions to those made by our predecessor, in virtue of said anterior cessions having become extinct, according to the laws of England, by which we govern ourselves absolutely in all what concerns real estate, and as no possession has been taken of said cessions of lands, and they have not been reclaimed at a due time, &c. &c. Cape Gracias à Dios, May 23, 1841. (Signed)

ROBERT CHARLES FREDERIC.

Not long after, the "King" had the consideration to die. M'Donald, as "Regent," could now act as he pleased. With the aid of his factotum Walker, the following document was issued, in the name of the sambo boy, "George William Clarence," the heir of the "Mosquito Kingdom."

REVOCATION, NO. II.

Inasmuch, as it is notorious, that almost all the cessions of land made in the kingdom of Mosquito, and, probably, all of them have been improperly obtained from the late king, that no equivalent whatever for them, nor the promised services have been lent; and, inasmuch as many of the cessionaries have obtained said cessions from the late king when he was *not in his sound judgment*, (i. e. *drunk*,*) and as said cessions despoil the successor of the late king of territorial jurisdiction in his kingdom, and of his hereditary rights; and, inasmuch as said cessionaries have obtained said cessions, not for the purposes of the colonization and improvement of the country, but merely to speculate with them in London and other places:

And, whereas, the greater part of said cession is actually in the possession of poor insolvent men and in real distress, said cessionaries never having fulfilled their duty of occupying said lands, though the most recent of said cessions bears date of July 27, 1841; and as the acknowledgement of the validity of said cessions would be subversive of the just rights of the present king, and destructive of the interests of the country, and may cause to the deceived emigrants greater sufferings even than those that hitherto they have experienced—*Therefore, it is necessary, and convenient for the security, honor, and welfare of this kingdom that said cessions be annulled and abolished.*

Be it thereupon decreed, that said concessions and titles of lands agreed and obtained previous to the 8th of October 1841, are forever annulled and abolished, &c. &c. (Signed)

GEORGE WILLIAM CLARENCE.

It was most undutiful to hint at the weakness of his father, but then the little

* As an evidence of the high regard which the English of Jamaica had for their own creatures as well as for their high character, it may be mentioned, that the "monarch" was a great drunkard, and very brutal in his habits. He was several times confined in the public jail of Jamaica for his disorders.

His Sottish Majesty, it is said, was induced to sign his celebrated "will" by the promise of a *hoghead of rum*!

sambo, "*George William Clarence*," knew nothing of all this. The entire procedure being designed by M'Donald to effect the objects which we have already indicated, the absolute absorption of the country by Great Britain. By this bold stroke, M'Donald got rid alike of the Prussians and the Jamaica traders. They stood in the way of the designs of the British Government, and were sacrificed. The Princess Agnes should have succeeded to the "crown," by the English law, but she had been too long with those in the Spanish interest to be trusted; and, by the decree of M'Donald, the successor was fixed in the male line! M'Donald was competent to anything!

The young "Princes" confided to M'Donald, were taken to England, with the exception of George William, who was left in the care of Mr. Walker, now promoted from the secretaryship of the Belize to be universal director, commissioner, agent, tutor and adviser of "His Mosquito Majesty," and particularly entrusted with the care of British interests. He established himself at Bluefields, where he acted precisely as he pleased, under liberal verbal if not written powers from the British Government. The plans of the British Government were not yet ripe for consummation. Meantime, Walker exerted himself in exciting the avarice of the English people. The stories of the speculators of 1771 were revived, and the flaring accounts of the ousted Jamaica traders duly sworn to. The importance of the country in a commercial point of view, its resources and capabilities, all that could excite the cupidity of the English public, were made the themes of the newspapers of Great Britain. The prospective canal across the continent was hinted at, but for obvious reasons, not dwelt upon with so much unction.

While all this was transpiring, the Central American States, to whom the territory of right belonged, were so much absorbed by their internal dissensions, carefully fomented by M'Donald's and Walker's coadjutors in Guatemala and elsewhere, that they were little able to give attention to the encroachments that were going on. Morazan, the last and best President of the Republic, saw, however, the danger, and refused to enter into any treaty arrangements with Great Britain, until she should

cease tampering with the Indians on the coast. We have the means of knowing that it was one of his designs, as soon as internal order could be restored, to drive out the intruders by force. This was not unknown to the British Government, which hesitated to break openly with the Republic. It was not until that Republic was dissolved, and the individual States themselves weakened by conflicts with each other, the consummation which had so long been wished for, and for which its unscrupulous agents had so long labored, that the British Government disdained a disguise no longer necessary.

In 1838, after Nicaragua had organized itself as an independent State, the Consul-General in Central America, Mr. Chatfield, the worthy co-laborer of Walker and M'Donald, transmitted a communication to the Government of Nicaragua, saying "he had received information that the Government of Nicaragua intended to dispose of certain lands belonging to the Mosquitos on the Northern (Atlantic) coast; that the Mosquitos were a nation formally recognized by H. B. M., and that she could not view with indifference any attempts which Nicaragua might make to dispose of these lands." The Government replied that it had no such intention, but that if it had, it was a matter which did not concern the British Consul-General, as the Mosquito coast belonged to the State of Central America. Some other correspondence passed but of no special importance. Nothing further was said until after the will of "Robert Charles Frederic" was procured and his grants annulled, when on the 10th of November 1841, M'Donald addressed a letter to the Nicaraguan Government, stating, "that the British Government had determined to maintain its ancient relations with its ally the King of the Mosquitos, whom it recognized as an independent sovereign," and proposing that a Commissioner should be named to settle the territorial limits between the "Kingdom of Mosquito" and the Republic of Nicaragua, and stating also, that, for this purpose, he had named Patrick Walker and Richard Hervey. The Government of Nicaragua replied that it knew no "Mosquito kingdom," that the wandering Indians living on the coast of Nicaragua were under the sovereignty of the Republic, and that it

would be soon enough to enter into any communication with the gentlemen named when they should present any credentials from H. B. M., authorizing them to enter into such relations with the States of Central America, together with authentic copies of the treaties of alliance which was said to exist between Great Britain and the Mosquito tribe. To this, M'Donald made no reply. The Consul-General too, was suddenly silent.

The cause of this silence may be explained in a few words. In the flush of his new dignity, conferred by the "King of Mosquito" and with a loyal desire to vindicate "His Majesty's rights," M'Donald, in the preceding July, had placed himself on board a British vessel of war at Belize, and started on an exploring expedition along the Mosquito shore. He visited Boca del Toro and other points at the Southward, but seeing but a poor prospect of inducing the citizens of New Granada occupying the first place to quit it, he returned with much chagrin, and stopped at San Juan. Here he attempted to play the sovereign, but was resisted by the collector of the customs of that port, Colonel M'Quijano, upon which he seized that officer, carried him on board his vessel, and set sail from the port. He subsequently seems to have regarded the step as very rash, and offered to set Quijano at liberty, upon his signing certain documents. The proceeding roused great indignation throughout Central America, and each State demanded a complete disavowal of the act. In fact it was regarded as of so flagrant a nature, and roused so strong a feeling of patriotism, that a correspondence was at once opened and preliminary measures taken for a consolidation of the States. This alarmed the British Agents; the folly of M'Donald came near overturning their long cherished plans; the Republic which they had labored to overthrow might rise again with new strength. So M'Donald made a lame excuse for his act, and all reference to Mosquito rights was carefully avoided until the roused spirit of the people was again laid, and until British intrigues had again involved them in civil war.

When internal hostilities had commenced in 1844, and the capital of Nicaragua was invested by an army, the British Consul-General addressed a circular to the various

States, advising them that Her Majesty, Queen Victoria, continued to protect her ancient ally the King of Mosquito, and that in order to preserve legitimate authority, promote order, &c. &c., she had named Mr. Walker, resident Consul on that coast. On the 10th of July, in that year, this worthy arrived in a British vessel of war at Bluefields, with his *royal* charge and one James Bell, appointed to act as sheriff and commander during the minority of the royal boy! He commenced his administration, and on the 12th of August addressed a letter to the Nicaraguan Government, stating that the subjects of the Mosquito King were interrupted in their lawful business of gathering turtle-shells, by the occupation of the port of San Juan, and other points by the people of Nicaragua! and adding, that the establishments of Nicaragua and Costa Rica upon the coast, were infractions of Mosquito rights. On the 16th of the same month, Mr. Sheriff Bell sent a protest against the occupation of the Port of San Juan by Nicaragua. In May [of the following year, the Consul-General, Mr. Chatfield, announced the important fact, that the young sambo, George William, had been "crowned" at Belize, and repeated again that Great Britain had determined to protect her "ancient ally."

Upon the 25th of September of the same year, Mr. Marcelota, the Chargé d'Affaires of Nicaragua, addressed an able letter to

Lord Aberdeen, principal Secretary of State of Great Britain, calling his attention to the high-handed proceedings of Walker and his associates, and informing him that the port of Bluefields, where that worthy had established himself, belonged to Nicaragua. He appealed to the sense of justice of the British Government, just as though any such appeal, unless backed by a thousand cannon, could have any weight; Justice forsooth! Was not the history of India and China before him? As might have been expected, no answer was returned to this communication. In the same year, Don Francisco Castellon was sent Minister to England, with directions to bring the infractions on Nicaraguan rights before the British Government in person, and particularly to protest against the occupation of Bluefields by Walker, backed by the name and military force of Jamaica. He was received at London, but no attention whatever was paid to his representations.

Meantime, the clouds of war between the United States and Mexico were gathering.

The English Cabinet feared the result, and directed all its efforts to secure California from Mexico, or prevent its falling into the hands of the United States. The affairs of Central America were for a time neglected, much to the tribulation of Walker and Chatfield, who, nevertheless, neglected no effort to perfect their plans

CHAPTER III.

THE SEIZURE OF SAN JUAN—WAR ON NICARAGUA.

Such appears to have been the actual condition of things up to 1846, when affairs were ripe for the consummation of the grand felony which had been so long contemplated. Our account of the events which followed, is compiled chiefly from the official correspondence upon the subject of the "Mosquito territory," published by order of Parliament in the autumn of 1848, and comprised in a large folio docu-

ment of 150 pages. It is, of course, to be understood that such portions only of the correspondence are published as could be presented "without detriment to the public interests," in which category do not fall those more confidential passages which might disclose the real motives and intentions of the Government. But enough appears to show by what moral standards the British Government gauges its actions in

questions in which its interests are supposed to be involved.

English intrigues had failed in Mexico, and it was clear that California would go to the United States. The contemplated aggressions in Central America were invested with new importance. The passes across the continent must be put under English control. Nothing could be done with Panama; New Grenada was a power too considerable to be trifled with; England feared to create another Rosas.

It was under these circumstances, that the British Government determined that the time for action had come; and that now it must appear in its proper character. Accordingly, on the 20th of June, 1847, Viscount Palmerston addressed a note to Mr. Chatfield, "Her Majesty's Consul-General" in Guatemala, requesting the most authentic information which he might be able to procure "as to the boundary claimed by the King of Mosquito," and concluding with the significant paragraph: "*You will also report what, in your opinion, is the line of boundary which Her Majesty's Government should insist upon, as absolutely essential for the security and well-being of the Mosquito shore.*"

A similar letter was at the same time addressed to Mr. Walker, "Her Majesty's Consul-General" in Mosquitia, and to Mr. O'Leary, British *Charge d'Affaires* in New Grenada.

Pending the reception of the information here requested, and impatient of delays which might interfere with its purposes, the British Government applied itself to the task of searching for additional pretexts to justify the contemplated usurpation. And upon the 30th June of the same year, Viscount Palmerston again wrote to Mr. Chatfield saying, that "Her Majesty's Government have carefully examined the various documents and historical records which exist relative to this subject, and they are of the opinion that the right of the King of Mosquito *should be maintained* as extending from Cape Honduras down to the mouth of the river of San Juan."

It will be observed that Palmerston does not yet venture to say that the rights of the pretended king really extend or have the shadow of validity over the territory indicated; he is of the decided opinion,

however, that they "*should be maintained*" to that extent! This letter concludes by instructing Mr. Chatfield to inform the respective Central American Governments of the opinion arrived at by Her Majesty's Government, "and to inform them that it would not view with indifference any attempts to encroach upon the rights or territory of the King of Mosquito, who is under the protection of the British Crown." Similar instructions were sent to Mr. O'Leary, at Bogota, and to Mr. Walker, the peripatetic agent of Great Britain "all along shore."

In the mean time, Mr. Chatfield had been at work in making out a case for his government, and the results of his labors had been received at the foreign office eight days after these instructions had been dispatched. Mr. Chatfield's letter is not deficient in characteristic and impudent assumptions, but he was nevertheless compelled to say, that "nothing had reached him to enable him to state positively, what is the line of boundary claimed by the Mosquito King!" Mr. Chatfield was, no doubt, quite right, for it is exceedingly doubtful whether the august personage referred to had any idea of boundary or any thing else, beyond the instructions of the agents of Great Britain around him. The communication was chiefly taken up with a discussion of the claims of the Government of New Grenada to the whole coast from Veragua to Cape Gracias à Dios, which claims were founded on a royal order of San Lorenzo, of Nov. 20, 1803,—separating for military purposes this section of coast, together with the island of St. Andrew, from the Captaincy General of Guatemala, and annexing it to the Vice Royalty of Sante Fe. Mr. Chatfield, however, adds, that he is unable to give a specific reply to the questions which had been propounded; but, as respects the southern boundary of Mosquitia, he finds among his notes, "An act of allegiance to the Hereditary Prince Frederic, (crowned at Belize, 18th Jan., 1816, eldest son of the former King, George, and brother to Robert Charles Frederic, crowned in Belize, 23d April, 1825, lately deceased), signed by Prince Stephen, Prince Regent, and the chiefs and people of the Mosquito coast, at Woolang, 14th Nov., 1815," which said act, according to Mr. Chatfield,

describes the southern Mosquito shore as "comprising the several townships from Wanks river to Boca del Toro." Now, as this "act" was drawn up by British agents, and was subscribed "Mr. William Boggs," *proxy* for the dignitaries named in it, it must be regarded as not strikingly conclusive, and of a kind of "historic evidence," a talent for the manufacture of which would only need a little different direction, (in countries where "conspiracies" and "fraud" are crimes,) to consign its possessor to the penitentiary! This, and a letter from Col. M'Donald, to the custom-house officer of New Grenada at Boca del Toro, dated 1841, with an extract from the narration of Roberts, an English trader on the coast, and which are wholly immaterial, constituted the "historic evidence" obtained by the British Government, through Mr. Chatfield, in support of contemplated felony. In respect to the other part of Palmerston's inquiry, Mr. Chatfield is more positive, and it is his decided "*opinion*" that "the line of boundary which Her Majesty's Government *should insist upon* as essential to the well-being of the Mosquito State, is that tract of sea-board situated between the right bank of the river Roman, *where several English mahogany works are established*, and the left bank of the river San Juan," and as the river Roman, (upon the right bank of which British adventurers had "squatted,") is a long stream, and extends far into the interior, including, with the other lines named, half of the continent at this point, as also some of the inhabited districts of Segovia, we do not wonder that Mr. Chatfield drops the name of *coast*, which conveys a circumscribed idea, and substitutes *state*, which is limitless in its acceptation. But Mr. Chatfield does not stop with a mere expression of this opinion; he adds: *Moreover, looking at the probable destinies of these countries, considerable advantages might accrue in after times*, by reserving for settlement with Central America, or Costa Rica, the rights of Mosquito BEYOND the San Juan river! *In the meanwhile*," he continues, "*considerable benefit would result to British interests from the EARLY ASSERTION of the rights of the Mosquito King to the terminus indicated.*" We shall soon see that these hints were not lost upon Her Majesty's Govern-

ment, who received new "historic and other evidence," as the Mormon leader did revelations from heaven, *whenever it was convenient*.

We have said that Mr. Walker was instructed to report such "historical and other evidence" as was within his reach. It would have been impossible for the British Government to have found a more convenient instrument for its purposes, than this man Walker. He was always at hand to supply the vacancies left by Mr. Chatfield, and does not appear to have been troubled with conscientious scruples. Nor did he wait for the suggestions of his superiors; his evidence was always ready. Without his invaluable aid, the Mosquito King might have lived and died in total ignorance of his "clear rights," and the British nation lost an "ally." He understood the art of manufacturing "historical and other evidence," and might, if required have made out a clear title for the King of Mosquito, to the coast of Florida. His answer is very long, and particular stress is laid upon a paper signed by "M. Quijano" who was in 1841 Nicaraguan Commandant at San Juan. This individual was seized at that port, as we have before said, carried on board a British vessel, mal-treated, and finally induced, by an offer of liberation, to sign a paper to the effect that, when he was a child, his mother, who had a plantation upon the coast of Costa Rica, annually gave a quantity of cacao to the roving Mosquito Indians, which cacao Mr. Walker calls *tribute*, and deduces therefrom sweeping pretensions of sovereignty! By a parity of reasoning, the entire United States is tributary to *Split-foot*, chief of the Pottowattamies! The Commandante was liberated upon signing this paper, which was at once filed away as invaluable "historic evidence!" The circumstance that Honduras once made some kind of a treaty with the Indians, is also quoted with a prodigious flourish as a recognition of the sovereignty of the serene "King of Mosquito!" We have made a treaty with the *Chinooks*; does the Government of Great Britain therefore regard the chief of that tribe as a sovereign? Perhaps she would like to make him her "ally," and get possession of the mouth of the Columbia? Let her try the experiment! And further, that a Guatemalan officer once carried a chief from

has Great Britain herself accredited a Chargé d'Affaires to these Governments, who might have moved these questions of sovereignty, territory, and appropriation of a Port acknowledged by the whole world as the property of the sovereign State of Nicaragua. If these new pretensions are well-founded, and the Port of San Juan does not belong to Nicaragua, how comes it that the Government of Her Britannic Majesty ordered a blockade of that port by Vice Admiral Sir Charles Adams in the year 1842, in order to enforce the payment of \$14,000, claimed of this Government by British subjects?"

The Secretary then goes on to protest against these pretensions in a strain of mingled eloquence and irony, asserting that "Nicaragua will disallow, resist and repel with the force of justice and all her strength, even to the extent of disappearing from the face of the earth, the encroachments with which she is threatened, and before obscure barbarians shall snatch away from her a property which, according to the great boundaries of nature, sanctioned by laws, international right, and immemorial possession, belongs to her alone. Thus," he concludes, "my Government solemnly protests. It will denounce the spoliations with which it is menaced before all the Governments of civilized nations; and the world will see how the ambition of a few British subjects darkens the enlightened minds of the Cabinet of Her Britannic Majesty, even to the point of placing the august Queen Victoria as an equal by the side of a despicable savage!"

The answer of Gen. Guardiola, on behalf of Honduras, is shorter but equally to the point. He says:

"It has been repeatedly demonstrated that the pretended king of Mosquito, recognized as such by the British Government alone, wants the smallest shadow of dominion over any part of the territory of Honduras; and it cannot, and ought not to be considered that the vagrant tribe, called Moscos, should be regarded as a nation.

"It is easy to see, from the hostile manner in which it is intimated, that a claim will be made on the territories of Honduras, that no reasons will be heard, and that force alone will terminate the dispute you have raised. It is remarkable that the cabinet of St. James arrogates the right of making claims, and putting forward intimations, which, if its own pretensions are to be credited, belong solely to

the savage chief of the Moscos, and who has never been consulted respecting them!

"And it is equally worthy of notice, that without attending to any of the means prescribed by the law of nations, in reference to a territory, at most disputable, force should be resorted to, as if there were no reasons to be heard, rights to be examined, forms to be observed, and jealousies to be awakened. The nations of America and Europe, Sir, will not see with apathy, or indifference, this new system of acquiring territories,—unknown, and contrary to the usages between Governments.

"The Government of Honduras is weak, and that of Great Britain is powerful, nevertheless, we shall make our rights known. They will have the same importance as if they were balanced between nations of equal strength and resources. Therefore, my Government solemnly protests that it will use the means, which all the world employs, to preserve the integrity of its territory, and repel aggression; and you, and the British Government must answer before heaven and earth for the ills which the contest must produce, and which you have provoked!"

To these eloquent protests Mr. Chatfield thought proper to reply, by means of a circular, brief and pointless, and only worthy of notice from the following extraordinary passages, which, if written in earnest, imply the keenest impudence, or the profoundest stupidity. He says:

"The position assumed by your Government rests on a supposed hereditary right, derived from Spain, to whom, it is alleged, *as I understand*, that the Mosquito territory formerly belonged as part of the Spanish possessions in America, it being *assumed* that the act of expelling Spain from this continent, conferred upon the States which expelled her, all the sovereignty and rights which Spain is considered to have enjoyed in it! On an impartial consideration of this question, I am convinced that you will perceive the fallacy of such reasoning, and admit that no State can justly claim to inherit rights, or territories, from a nation, which does not recognize its political existence!" Sapient Mr. Chatfield!

To return. Before Mr. Stanley's note had been acted upon by the Secretary of the Admiralty, His Majesty's ship of war, "Alarm," commanded by Capt. Granville G. Loch, whose name will now frequently appear in this narrative, arrived at Bluefields, on the Mosquito coast, where it took on board Mr. Walker, and his *protege*, "the King." They proceeded

straightway to San Juan, where they arrived on 26th Nov., when they informed the Commandant that the King of Mosquito was on board, and that he must be saluted, or the town would be fired on. As this request was not complied with, an armed party went on shore, and as there was no efficient force to resist, run up the Mosquito flag, fired a salute, and returned on board, leaving the flag flying. This dignified proceeding over, the "Alarm," and its precious freight, set sail for Jamaica, where Mr. Walker wrote a garbled statement of what had been done, to Palmerston. It is a little singular, however, that in his account of this proceeding, he makes no mention of a subsequent one, which was not quite so successful. In the flush of their triumph, Mr. Walker, and the commander of the "Alarm," thought it would be a good thing to go through the same performance at Truxillo, the principal seaport of Honduras. Perhaps, as this is a tolerable harbor, they thought it would be good also to seize it for his Mosquito Majesty. So, in proceeding to Jamaica, they made a *detour* to this point. The "Alarm" was anchored in the harbor, the boats were duly manned with armed men, and Mr. Walker and the commander went on shore. They were met by the officer of the garrison, whom they ordered to retire, with his men, to the mouth of the river Aguan. The Commandant declined to do anything of the sort. Mr. Walker then told him that "he should be obliged to eject him by force," to which the Commandant replied that "he had better try it," falling back, and ordering his men to form, the call for the militia to be sounded in the plaza, and the guns of the castle to be brought to bear. This was more than was bargained for. Mr. Walker and his associates decamped with all despatch, contenting themselves with elevating the Mosquito flag on a desert beach, outside the harbor.

Meantime the plot thickened, and, to give some show of decency to their proceedings, a grand *imaginary* Mosquito council was held at Bluefields, the senior member of which purported to be a Mr. George Hodgson, which went through the imaginary form of addressing a letter to the Director of Nicaragua, giving him to the first of January, within which to withdraw

the Nicaraguan establishment from San Juan. Besides Mr. George Hodgson, there were imagined to be present at the council: "Hon. Alexander Hodgson, Hon. H. Ingram, Hon. James Porter, Hon. John Dixon, and Hon. James Green;" the last, her British Majesty's Vice-Consul.*

The Government of Nicaragua had the bad taste and worse policy to notice the absurd document, and to reply that the Nicaraguan establishment would not be removed from San Juan, and that if forcible measures were resorted to, force would be used to repel the assault. Whereupon the august imaginary council was again convened, and the imaginary clerk (also a British subject!) directed to make a reply, which he did as follows, under date of December 8, 1847.

"The Council passes over in silence the disrespectful tone of your letter, but directs me to forward you copies of addresses which His Majesty received on his recent visit to Jamaica from the honorable the council and house of assembly of that island; and I am to remind you that the civilized world knows that, in point of rank, intelligence, independence and wealth, the public bodies of Jamaica cannot be excelled in Nicaragua!"

This rare epistle concluded by saying that the port of San Juan would be *retaken* possession of (this reminds us of *reannexation*) by British and Mosquito troops, on the first of January, *prox.* There was a strange mixture of puerility, villainy and low cunning in the proceedings of Walker and his associates, which is probably without a parallel in any similar transaction.

When the "Alarm" arrived at San Juan, as before related, the Commandant of the port made a formal protest against the proceedings of its officers. His language affords a strange contrast to the highway tone assumed by the British officials. He said "he could not help deploring the attack which had been made upon the rights of sovereignty and the integrity of the free State of Nicaragua, by the commander of Her Britannic Majesty's frigate "Alarm," and as under present circumstances the State of Nicaragua wanted other means for the defence of

* Mr. Hodgson, "the senior counsellor," afterwards testified that no such council was ever held, and that he knew nothing of the business, until informed of it, subsequently, when a prisoner in Nicaragua.

The whole was the work of Walker.

her rights than those of reason and justice, sustained by the moral force of the civilized world, he now remonstrated and protested against the proceedings of the commander, solemnly and in the presence of God and the world." The frigate, it is proper to add, entered the port under British colors, and afterwards hoisted the so-called Mosquito flag.

In the meantime, the Government of Nicaragua, in consequence of the delay and uncertainty attending the transmission of communications from Leon to Guatemala, the residence of the Consul-General, named and empowered. Messrs. Duran and Lopez, singly and jointly, to act as the commissioners of the Government in Guatemala, with a view to the adjustment of the disputes which had arisen; omitting, it will thus be seen, no means to settle affairs in a just and peaceful manner. But Mr. Chatfield refused to have any communication with these commissioners, and wrote to Palmerston, under date of December 3d, that, "independent of the unfitness of these lawyers to entertain questions of this nature, he conceived himself without authority to discuss the right of Mosquito to the mouth of the river San Juan." Mr. Chatfield had not forgotten the epistolary contests he had been from time to time involved in with the Nicaraguan "lawyers," and in which, not less from the badness of his cause, than his own incapacity, he had been uniformly worsted. He concludes by inquiring what regulations shall be made for the trade of the San Juan "after the occupation of the port by Mosquito."

The Nicaraguan Government still anxious to adjust affairs amicably, then empowered the Guatemalan Minister of Foreign Affairs to act as their Commissioner. But Mr. Chatfield answered that matters had passed the period of negotiation. Still, "out of deference" to the Minister, personally, he was willing to receive and transmit to Her Majesty's Government, any proposals or explanations which the Nicaraguan Government may desire to make on the proceedings at San Juan: Her Majesty's Government being desirous that Nicaragua should feel assured that, *in this instance*, as in all others, its acts are based on the broadest principles of justice and equity!" Admirable complacency!

Such was the state of things when the

Supreme Director of the State of Nicaragua, Don José Guerrero, issued a proclamation, from which we can only quote a few paragraphs:

"Under favor of good feeling, the public morality and the efficiency of the authorities, the agitations consequent upon our revolution, and peculiar to the political infancy of every country, have been calmed. The energies of the State are directed to the improvement of its resources, and the cultivation of peace, friendship, commerce, and credit with all the civilized nations. But now, under shadow of the colossal tower of Great Britain, professing to stand first among civilized nations, our repose is disturbed and our prospects darkened, by a scandalous attempt upon the integrity of the territory of our State. A fraction of our population, the nomad tribe of *Moscas*, at whose head has been placed an imbecile child, with the title of "King," surrounded by native ignorants and unprincipled foreign agents, who direct every thing to their own liking, has intimated to this Government its intention of taking possession of the port of San Juan through the aid of the British Government!"

The Director goes on to set forth the indisputable right of Nicaragua to the port in question, in a clear and conclusive manner, recounting in detail the aggressions which have been made, and continues:

"Thus is it that civil war is stirred up by the savage against the civilized portion of Central America; thus it is attempted to wrest from Nicaragua her only and best port upon the north, possessed by her from time immemorial, without dispute, and recognized by the acts of Great Britain to be hers alone. * * *

"The loss of territory with which we are threatened, will be but the precursor of other and, if possible, more startling aggressions upon the other States of Central America. The moment has arrived for losing a country with ignominy, or sacrificing with honor the dearest treasures to preserve it. As regards myself, if the force which menaces us sets aside justice, I am resolved to be entombed in the remains of Nicaragua, rather than survive its ruin!"

We now return to the proceedings of Mr. Walker and his new coadjutors. On the 29th of December, the British war steamer, "*Vixen*," Commander Ryder, arrived at Bluefields, where it took on board 65 men, Mr. Walker and the "Mosquito Majesty" going on board the cutter in attendance, and both vessels started for San Juan, where they arrived on the 1st of January. General Munoz, the Nicaraguan commander, had previously withdrawn

most of the Nicaraguan troops to the mouth of the Serapiqui, thirty miles up the river San Juan. The force left was wholly inadequate, and offered no resistance to the landing of Walker and his followers. According to the official statement of this worthy, he "landed with Captain Ryder in his gig, the paddle box boats of the Vixen following with marines, soldiers, and militia. Having formed in column, they marched up to the flag-post, and facing round displayed in line with great precision and correctness. The Nicaraguan flag was immediately hauled down. The Mosquito flag was then run up, and a royal salute was fired while the King proceeded from the cutter on shore!" The force then proceeded to oust the administrator of customs, who made a formal protest, and "Major George Hodgson, Commodore Little, and Captain Dixon, were severally installed as Governor, Captain of the Port, and Town-Major. Five men of the Bluefields Militia were selected to form a police for maintaining order in the town." On the 4th, the two vessels, with the Mosquito Majesty on board, returned to head quarters at Bluefields.

On the 10th, a party of troops from the station at Serapiqui came down the river and turned the table on the new authorities, taking the "Governor and Captain of the Port" prisoners, greatly to their bodily fear, but particularly to the terror of the "Governor" whose name, as we have seen, was appended to the impudent letter to the Director of Nicaragua, instructing him to withdraw the establishment at San Juan. It is but just to this worthy, who was but an instrument of Walker, to say, that he afterwards solemnly declared that he never saw this document, and that his name had been forged by Walker.*

* The following passages, from the records of Hodgson's examination, read over and attested by him, will afford some insight to the proceedings of Walker and his associates.

"Being asked if he had signed the note presented to him and to which the name of "Geo. Hodgson, senior, counsellor. &c." was appended, dated Bluefields, 25th October, and notifying the Director to withdraw the Nicaraguan establishment at San Juan, he answered:

"He had examined said note and that the signature of "George Hodgson" was not his, that he was not in Bluefields at that date, and consequently could not have signed it.

It was now the turn of the other side to protest, which task was undertaken by Captain Ryder, and performed with a very bad grace. He expressed his belief that "the proceeding would be considered by the military and naval authorities at Jamaica as a declaration of war against the Queen of England and the King of Mosquito." So Captain Ryder set sail for Jamaica to procure counsel and reinforcements, and bearing most urgent letters from Mr. Walker. Captain Ryder made his report, and Captain Loch's ship "Alarm," with the "Vixen," bearing a considerable force, were detailed to return to the theatre of operations. They arrived at Bluefields on the 5th, and on the 8th at San Juan. The Nicaraguan force overpowered by numbers, withdrew to Serapiqui, where, in the dense untenanted forest, unprotected by dwellings of any kind, they had constructed a rude breastwork of earth and logs. The position was a very good one, and in the hands of experienced troops capable of easy defence. Here the Nicaraguans had collected about 120 men, some, former residents

"Being asked in whose writing the note appeared and by whom signed, he said:—

"The body of the note is the hand-writing of Mr. W. Scott, Secretary of Mr. Walker, and that the signature is in Mr. Walker's hand-writing."

To other inquiries he answered that he had never seen or heard of the notes which had been addressed to the Government of Nicaragua.

"Being asked if the occupation of San Juan had been ordered by the person called "King of Mosquito," he said:

"The King is without the mental capacity to dictate this measure or any other. That Mr. Walker has directed the whole affair; that he had gone to Jamaica in December of the preceding year, and that, upon his return, had said, that the Governor of Jamaica would send troops to take San Juan, but that Bluefields should not be disturbed, and that when he, (Walker) started for San Juan he invited him, (Hodgson) to go along, but not to be alarmed, as it was merely a walk, (i. e. pleasure trip) but if they (Hodgson and his companions) had known the object they would not have gone.

Mr. Hodgson also testified that he had on several occasions been compelled to sign his name to documents presented to him, the nature of which he did not understand. Also that he knew nothing of "British Protection," only so far as he had been instructed by Mr. Walker!

The whole testimony is exceedingly amusing. This Hodgson was claimed of the Nicaraguan Government as a British subject. He was, however, the grandson of Robert Hodgson, who, as we have seen, was Colonel in the Spanish service!

of San Juan, and the principal part of the remainder boatmen in the river, who had volunteered their services. There were but six regular soldiers besides one or two officers, who had before been stationed at San Juan, among the entire number. They had one or two rusty cannon, which they did not know how to manage, and a variegated assortment of old muskets and fowling pieces for arms. A large portion had their *Machetes*, a kind of long heavy knife in common use in these countries. To dislodge this force, and resent the insult which had been given to Great Britain and Mosquito (!!) by pulling down the Mosquito flag, the English troops, consisting of 260 picked men, under command of Captain Loch, accompanied by Mr. Walker, embarked on the 11th. On the 12th they reached the point, when after an irregular contest, the English landed, putting the Nicaraguans to flight. The Nicaraguan loss was reported by Captain Loch, at 20 killed and double that number wounded; the English loss, 2 killed and 13 wounded. In the number, however, Captain Loch does not include Mr. Walker and a boon companion, who were reported to have been "accidentally drowned." Mr. Walker's body was found a week or two after, with a bullet hole in the breast, horribly mangled by alligators, and was buried on the spot where it was discovered. Thus terminated the career of one who had been most active in the unworthy scheme of fraud which we are relating; and who, if he ever possessed any sense of honor or rectitude, sacrificed it promptly at the call of men equally reckless with himself, but too cautious or too cowardly to incur the odium of their own measures, men, however, whom history will not fail to consign to the obloquy which they merit.

Having gone through the usual ceremony of demolishing the works he had captured, Captain Loch pressed forward to the ruined fort of San Carlos at the head of the river, of which he took possession, appropriating twelve out of the sixteen houses to himself and his troops, and with true British magnanimity, leaving the remaining four to the inhabitants and prisoners. Here he established himself, sending scouts along the sparsely populated coast to collect provisions. After a time he dispatched a Mr. Martin to the city of Grenada, under a flag

of truce, with communications for the Nicaraguan Government. It is immaterial to notice in detail the correspondence which passed, and which had an overstrained air of civility upon both sides. The Government of Nicaragua declined to make any apology for its proceedings at San Juan, asserting that it had done only what was right and proper, but consenting to deliver the English prisoners, provided on the other hand, the Nicaraguan prisoners were released. It granted also a safe conduct to Captain Loch, to enable him to approach to some of the islands in the neighborhood of Grenada, for the purpose of effecting some pacific arrangement. This, that officer was too glad to accept, for besides the hopelessness of advancing upon the populous side of the lake, sickness had already reduced his effective force nearly one fourth, and his men were compelled to subsist on beef and plantains alone. Still like a true Briton, he assumed the air of a conqueror, and so well that he almost convinced the Nicaraguans that he had them completely in his power. The upshot of the whole matter was the nomination of S^{rs} Francisco Castellon, Juan Jose Zavalá, and José Ma. Estrada as Commissioners, to settle affairs with Captain Loch. They met at the island of Cuba, when Captain Loch dictated the following extraordinary articles:

1st. That the Nicaraguan Government surrender the persons of two British subjects, Messrs. Little and G. Hodgson, taken prisoners by the forces of the State of Nicaragua, on the 9th January 1848, from the port of San Juan, and that they shall be delivered over to Captain Granville Gower Loch, in this island of Cuba, within twelve hours from the ratification of this treaty.

2d. That a Mosquito flag and other effects taken on the same day and from the same port, be restored without delay, and that a satisfactory explanation be given by the Nicaraguan Government for the outrage that the commandant of Her Majesty's forces conceives to have been offered to the British flag, in hauling down that of Mosquito under her protection.

Explanation. The Nicaraguan Government were ignorant that the Mosquito flag was so connected with that of England, as that an outrage to it should involve an insult to that of Great Britain. They are

most anxious to explain that so far from desiring to excite the anger of that power, it is on the contrary their earnest wish to cultivate the most intimate relations with it.

3d. That the Government of the State of Nicaragua solemnly promise not to disturb the peaceful inhabitants of San Juan, understanding that such an act will be considered by Great Britain as an open declaration of hostilities.

4th. That the tariff established in the port of San Juan, upon the occupation of the 1st of January, 1848, shall be considered in full force, and that no Nicaraguan custom-house shall be established in proximity to the said port of San Juan, to the prejudices of its interests.

5th. That the British officer in command agrees to retire from Fort San Carlos to San Juan with all the forces, delivering up the hostages, prisoners, and effects now in his possession, immediately after the fulfilment of the various claims agreed upon in this treaty.

6th. What has been stipulated in this agreement will not hinder the Government of Nicaragua from soliciting, by means of a Commissioner to Her Britannic Majesty, a final arrangement of these affairs.

Given under our hands at the Island of Cuba, in Lake Nicaragua, this 7th day of March, in the year of our Lord 1848.

(Signed)

GRANVILLE G. LOCH.

(Signed)

JUAN JOSE ZAVALA.
FRANCISCO CASTELLON.
JOSE MA. ESTRADA.

The Nicaraguans saved their pride by refusing to acknowledge the existence of what Lord Palmerston calls "Mosquito;" but, nevertheless, put themselves in British power, so far as any attempt to resume their port at San Juan was concerned, and by agreeing that all future negotiations must be conducted in London, which is the amount of the 6th article.

Accordingly, Capt. Loch returned with his forces to San Juan, too glad to get thus easily out of the difficulties in which he had involved himself.

An emergency had arisen, in consequence of the death of Mr. Walker, but Capt. Loch was equal to it. He at once wrote to the "King of Mosquito," that as Mr. Walker was dead, he had named Dr. Green to be his "principal and only counsellor, until the pleasure of her Majesty's Government was known." He also instructed him not to employ, in any manner, Mr. Geo. Hodgson, in consequence of

the "unworthy evidence he had given to the authorities of Nicaragua,"—and thus the "Senior Counsellor of Mosquito," and late "Governor of San Juan," was laid on the shelf. Capt. Loch next installed Capt. Little, as Captain of the Port of San Juan, and then set sail for Jamaica, to claim his promotion.

When the news of these proceedings arrived in England, the Right Hon. E. J. Stanley wrote to the Secretary of the Admiralty, commending what had been done, and adding:

"Her Majesty's Government are convinced that the good effects of this successful exploit will not be confined to the particular question out of which it arose; but the example thus set of what the British navy can undertake and accomplish, will materially assist in bringing to a satisfactory settlement several claims which Her Majesty's Government has been obliged to make upon some of the Governments of South America, for redress of damages done to British subjects."

In the summer of the same year Mr. W. C. Christy, at one time a Member of Parliament, a Scotchman, and who, from his suspected leaning towards the "opposition," it was thought best to "provide for," or "dispose of," was sent out as Her Majesty's Consul-General in Mosquitia; and the mantle of Mr. Walker fell gracefully upon his shoulders. As there were neither constitution nor laws, he took absolute authority upon himself, and, disdaining the ridiculous formality of appearing to consult the "Mosquito king," promulgated regulations, sold lands, and established rates, under the seal and authority of "Her Britannic Majesty." He wrote letters for the Times, and the Jamaica papers, abusive of the Central American States, and, in conformity with his instructions, proclaimed that the Mosquito territory extended up the San Juan river, as far as the Rio Serapiqui. The first excitement of power over, he started on a visit to Costa Rica, the Government of which State,—raised to power by a pronunciamiento of the soldiers of the "Cuartel General,"—was entirely in the English interest, if not English pay; and where General Flores, the absconding President of Ecuador,—a notorious stipendiary of England,—was residing. He was coldly received by the people, but the Govern-

ment were in ecstasies, in consequence of his condescension; treated him to dinners; and, in a paroxysm of joy and wine, the chief, Castro, "regretted that he had not a daughter, so that, after the manner of monarchical Europe, he might firmly cement the union between the reigning houses of Mosquito and Costa Rica!"

The bacchanalian bouts in Costa Rica over, Mr. Christy set out for Nicaragua, where he supposed the majesty of his presence might work magical results. Arrived at Leon, he forthwith addressed a letter to the Government, to which the Government replied, declining to have anything to do with him, and directing their answer to "*Mr. Christy, subscribing himself Her Britannic Majesty's Consul-General in Mosquito.*" To this, Mr. Christy made a long and indignant reply, and returned forthwith to San Juan. In passing through the river, he observed that the forty miles between the Rapids of Machuca, and the Serapiqui (the *then* proclaimed western limit of Mosquito) were fair and fertile, and he incontinently received new light, in respect to the "territorial rights" of the King of Mosquito. This was forthwith transmitted to the foreign office, and in two months thereafter, it was proclaimed that the "*Territory of Mosquito, on the west, extended up the river San Juan, to the Rapids of Machuca!*"—forty miles beyond the former limit! A line, drawn from this point, to the claimed point on the river Roman, takes in part of Lake Nicaragua, a portion of the inhabited Nicaraguan district of Chontales, besides a number of the *richest mines*, and some of the largest towns of Segovia,—not to mention a number of the ruined forts of the Spaniards on the Rio Segovia, and other streams! This boundary would, therefore, if it could be maintained, greatly promote the "well-being of the Mosquito kingdom," to say nothing of British interests!

Previous to this, the Government of Costa Rica had also received new light as to its northern limits, and intimated that its territories extended a hundred miles higher up the Pacific coast than had before been pretended, so as to take in the southern shore of Lake Nicaragua and the south bank of the river San Juan, including the Nicaraguan military station of the Castillo Viejo. This intimation was made

gently; and the British Vice Consul, to whom the task of making it was confided, intimated also to the Government of Nicaragua, that if \$100,000 was considered any object, he had no doubt it might be obtained by a formal relinquishment of the territory in question,—accompanying the intimation with the hint, that the British Government might soon be compelled to insist upon the payment of certain obligations, which it had been alledged the State was under to British subjects.

To understand this subordinate plot fully, it is necessary to mention, that a Mr. Molina, after due consultation with the British agents in Nicaragua and Guatemala, had been Minister from Costa Rica to England. The object of his mission is apparent: Great Britain, desirous of avoiding injuring her influence in Costa Rica, by enforcing her pretensions on behalf of Mosquito, to the eastern coasts of that State, judiciously limited her actual and forcible encroachments to the recognized territories of Nicaragua. She did this, relying upon future intrigues to extinguish the Costa Rican title, and lest Costa Rica should become alarmed, and affiliate with Nicaragua, from which State she had kept aloof in the late contest, as well as for the purpose of diverting the attention of her people from their own objects, the British agents incited the Government of Costa Rica to renew obsolete pretensions to a valuable portion of Nicaraguan territory, promising to protect them from the superior power of this State, in case of necessity. This snug arrangement could not, however, be kept entirely secret. It got out, that Costa Rica was to be placed under British protection. The idea elated Castro, the Chief of Costa Rica, to the highest, who fancied he saw, in this arrangement, an indefinite prolongation of his ill-gotten power, which now appeared to be failing fast. The information reached the United States, and, meantime, Mr. Molina, having arrived in England, Mr. Bancroft was instructed to question him upon this point, and to intimate to him, that the United States could not fail of being interested against any such proceedings on the part of any North American republic. Mr. Molina placed his hand upon his heart, and declared that the idea had never been entertained by his Government, and yet he

had already submitted a basis to the British Government for this precise object, which was then under "favorable consideration," and has since, it is understood, with some modifications, been agreed upon. Never was there a more heinous instance of that alliterative vice, "diplomatic duplicity," which seems to bear the same relation to *lying*, that "*extensive defalcation*" does to *theft*.

It is well-known that the newspapers of the States of Central America are owned and published by the respective Governments, and are nothing more than official gazettes, echoing the sentiments of the party in power. Freedom of the Press is a nominal thing; and it is only necessary to observe the tone of the Government paper, to learn the disposition of the Government. This understood, the reader will know what value to place upon the following passages from the official paper of Costa Rica, published in April following the seizure of San Juan. It will be easy to see "how the land lay" in that quarter, and to discover the possibility, if not the probability, of the truth of the accusation brought by the Government of Nicaragua, that some of the merchants and other citizens of Costa Rica, had been parties to the events at San Juan, and had contributed, in various ways, to precipitate them, under the connivance of Castro. The paper said:

"Costa Rica has not witnessed late events with indifference; but she regards them as past remedy, and knows how to accommodate herself to the new order of things. Aside from all questions of right, and waiving all national pride, (which we, Central Americans, do not know how to sustain,) the occupation of San Juan, which we regard as a consummated and irremediable fact, and the consequent establishment there of an opulent commercial colony, will open a new era for the commerce and industry of Costa Rica. Having been already secured the liberty of passage at that port, we shall at once be able to engage in opening the Serapiqui road, and commence the exportation of our products to the Atlantic; we shall at once proceed to the opening of a route from one sea to the other, while the Nicaragua canal is talked about; and we shall be able to aspire to rapid growth and unlimited prosperity."

It continues in this strain, congratulating the people upon being relieved of the Nicaraguan Custom House duties, refers

with satisfaction to the low rates established by the British officers at San Juan, and hints at the necessity of a new "fiscal system." This last reference concerns one of the objects of Molina's visit to England, which was to establish, in connection with Castro, a kind of Government Bank, of which he should be the principal officer. The paper adds further, that it has advices from Bluefields, and that, "although the southern limits of the kingdom of Mosquito had not yet been finally decided, the navigation of the Serapiqui river would be in no way obstructed," and that the products of Costa Rica "should pass freely through San Juan."

All this is sufficiently significant, apart from all other circumstances, of the actual sentiments and designs of the Costa Rica Government;—for, in these reflections we draw a wide distinction between the government of that little State, and its people, who, from the very fact of being frugal and industrious, are more ready to put up with a bad government, than take the trouble, or risk the turbulence of a revolution. But their forbearance will have an early end, unless the Government is sustained by overwhelming influences, from outside. In this connection, it will not be improper to anticipate events a little, in order to show the duplicity of Molina, and the nature of his negotiations with the British Government. Soon after the arrival of Mr. Castellon in England, (where he arrived early in 1849, as Minister for Nicaragua, for the adjustment of the difficulties of that State with England,) a rumor reached London that Nicaragua was about attacking Costa Rica. Immediately, and in great haste, Palmerston sent for Mr. Castellon, and earnestly inquired if the rumor was well-founded,—adding, in significant diplomatic phrase, that "Great Britain could not regard such a proceeding with indifference, in consequence of its intimate relations with Costa Rica." This, it will be understood, was at about the same time that Molina assured Mr. Bancroft, that his Government never contemplated, for a moment, placing his Government under British protection.

Mr. Castellon, as we have just said, was appointed Minister Extraordinary to England, in the autumn of 1848, with a view to the arbitration and final arrangement of

affairs, between the two countries, in consonance with the closing article of the capitulation of Cuba. It had been contemplated to name some other person; but the British Vice-Consul, learning the fact, waited upon the Director, and dwelt strongly upon the circumstance, that Mr. Castellon had already been in Europe, in a diplomatic capacity, and upon the necessity of having some one at the English Court, acquainted with the routine of diplomatic forms, in order to a favorable termination of his mission. There were some other considerations put forward, which would provoke a smile, if recounted; but the concluding and potential one was worthy of that shrewd "Down Easter," who appears so often on the comic stage, but no where else. The Government was destitute of funds, having exhausted all its available resources, amounting to about \$100,000, in the recent brush with Great Britain. The Vice-Consul availed himself of this circumstance to offer, in case Mr. Castellon was appointed, to furnish the Government, wherefrom to defray the expenses of the mission, with a quantity of indigo, which he had on hand, at a price, but little exceeding twice its actual value, and to take therefor, certificates of indebtedness from the State, bearing interest at the *moderate rate of two per cent per month!* As the British navy had always been at hand to enforce the payment of his claims, and was still ready for any such great national service, this arrangement was not unlikely to prove a very "good speculation." The Government, without means, and flattering itself that, by a fair negotiation at London, it might regain its rights, hesitated for a while, but finally acceded to this proposition,—a way of "raising the wind,"—quite as novel as any on record. Accordingly, the Envoy Extraordinary made ready to start on his mission, while the Vice-Consul packed his indigo. The British agents did not probably believe Mr. Castellon devoted to their interests, but believed him less inveterate, in his hostility, than any others which had been named. But to guard against the possibility of deception, and fearing that Castellon might stop in the United States, the British Consul at Rialejo received sudden advices, which demanded his presence in England; and, by a singular conjunction, or, as the

senior Weller would call it, a "werry extraordinary coincidence," the Consul embarked at the same time, and in the same vessel with Mr. Castellon; and when the latter gentleman expressed his intention of stopping for a short time in the United States, the former thought it wouldn't be unpleasant to do so also! This flexibility on the part of the Consul extended to taking lodgings at the same hotel; in fact, it amounted to the closest surveillance. Mr. Castellon merely addressed a note to Washington, but, pending its reception, set sail for Liverpool.

He presented his credentials in due form, but his connections with the Government seems to have been very limited, and, so far as the objects of mission were concerned, of very little effect. To his letters he received tardy and unsatisfactory answers. Meantime, the new claim that the western boundary of Mosquitia extended to the rapids of Machuca was made.

Mr. Castellon, finding himself unable to accomplish anything at all satisfactory, prepared to return to Nicaragua. He accordingly, in the month of July last, had an interview of leave with Palmerston, when he was informed that no further discussion could be had with Nicaragua, in reference to Mosquito and San Juan. Palmerston also said to him that "he was well aware that the United States had turned its attention to Central America, and had opened communications with the respective States; but that Nicaragua must indulge no hopes in consequence; for, although he felt disposed to regard the United States with some consideration, so far as her own relations were concerned, yet that her opinion, or her influence, was a matter of small importance, one way or the other, in the policy which Her Majesty's Government had determined on in Central America." Hereupon his Lordship jerked his head contemptuously, and Mr. Castellon was politely bowed out.

A few days thereafter, he received a long letter from the foreign office, in reply to his communications before unanswered, which as it is signed "Palmerston," and seems to be intended as a summing up of the British side of the whole Mosquito question, we subjoin it *in extenso*. This, then, is the British Exhibit, and here Great Britain rests her case before the world. It might be allowed to pass to that

august jury without one word of comment, with the fullest assurance that the verdict would be rendered against his Lordship on his own showing. But it contains too much that is false in fact, and unfounded in inference, to be allowed to pass thus easily. He who, in a case of grave national impor-

tance, involving the highest principles of international law and justice, resorts to the lowest arts of the special pleader, escapes merited justice if allowed to pass without the severest reprehension. The letter follows.

CHAPTER IV.

BRITISH EXHIBIT OF THE MOSQUITO QUESTION—LETTER OF

LORD PALMERSTON.

FOREIGN OFFICE, July 16, 1849.

SIR:—I have the honor to acknowledge the receipt of the letter which you addressed to me on the 23d ultimo, in reply to my letter of the 27th of April, relative to the debt due by the State of Nicaragua to certain British subjects, holders of bonds of that State.

As the question whether the State of Nicaragua has a right to include amongst those branches of her revenues which are pledged for the payment of that debt, custom duties to be levied at the port of Grey Town, or in other words, the question as to the validity of the alleged right of Nicaragua to the Port of Grey Town,* forms the essential point in your letter now under consideration, as well as in your preceding letters of the 20th of January, and of the 5th and 19th of March last, I will address myself at once to that question.

In your letter of the 23d ultimo, you say, that by the arguments therein employed, you have shown. 1st. That the Port of Grey Town is now, *de jure*, the property of the State of Nicaragua, and has been so ever since Central America declared itself independent of Spain; 2dly. That therefore the revenues of customs levied at that Port is justly to be included in those revenues of the State of Nicaragua, which are pledged for the redemption of the loan which was contracted for in 1826 by the Republic of Central America with the House of Barclay & Co.; and, 3dly. That the British creditors, are bound to assist the Government of Nicaragua, in establishing its claim to Grey Town; and that if they do not so,

they must submit to the loss which may result from their own laches, until the Port which you say is unjustly withheld by Great Britain shall have been restored to Nicaragua.

Upon these propositions I am prepared to join issue with you, and will proceed to show that the Port of Grey Town does not belong and never has rightfully belonged to the State of Nicaragua. This point once demonstrated, the second and third propositions which you deduce from the alleged rights of Nicaragua to Grey Town, must of course and necessarily fall to the ground.

Now, in the first place, I have to remark, that since the people of Nicaragua have never occupied any part of the territory of Mosquito except Grey Town, which they forcibly took possession of only in 1836, the sole pretence upon which the State of Nicaragua can claim a right to Grey Town or to any other part of the Mosquito territory, is the allegation that the Mosquito territory belonged to Spain, and that Nicaragua has inherited the rights of Spain over that territory. But assuming for the present for the sake of argument that Spain had rights over the Mosquito territories, how can it be shown that those rights have devolved to Nicaragua? Has Spain ever conferred such rights to Nicaragua by treaty? Certainly not. Has Nicaragua obtained them by conquest? Equally not. The people of Nicaragua revolted, indeed, against the King of Spain and obtained by force of arms, and *de facto*, their practical independence, which, however, I believe, has not up to this day been formally and diplomatically acknowledged by Spain. But the successful revolt of the people of Nicaragua could give them no right, with reference to Spain, except the right of self-govern-

* This is the name which the English have given to San Juan de Nicaragua, since its occupation.

ment. The very principle upon which their revolt was founded, and which the success of that revolt established, goes to forbid them from practising towards other nations that kind of oppression from which they had freed themselves. The fact of their having thrown off the yoke of Spain could give them no right to impose their yoke upon the people of Mosquito; the circumstance that they had succeeded in asserting their own freedom from foreign rule, could give them no right to impose their rule upon a people who had always been free, and it is a well known historical fact, that the Mosquito nation had from time immemorial, and up to the period of the revolt of Nicaragua been as free as they have continued to be from that period to the present day. But even supposing that this had not been so, and that the crown of Spain had possessed rights of sovereignty over the Mosquito territory, the people of Nicaragua might as well claim a derivative right from Spain to govern and to be masters of Mexico, New Grenada, or any of the neighboring States of Central America, as to govern and possess by such derivative rights the Mosquito territory, which was never possessed or occupied by the people of Nicaragua. The people of each of the revolted districts of the Spanish American provinces established their own independence and their own rights of self-government within the territory which they actually occupied, but nothing more. If these revolted provinces had imagined that they acquired by the revolt all the rights of Spain, besides determining among each other in what manner those rights were to be apportioned between them, they must also by necessity have considered themselves bound by all the obligations of Spain. But they neither acknowledged these obligations nor were called upon by other countries to adopt them. On the contrary, when their political existence as independent States was acknowledged by foreign countries, they contracted severally with those foreign countries, such new treaties as were applicable to their own respective geographical limits and political conditions, and neither they nor the foreign powers with which they treated, ever thought of considering them inheritors of any rights or obligations, rising out of the treaty engagement of the Spanish Crown. However, if Spain possessed any rights over the Mosquito territory, and if those rights have descended by inheritance to any of the Spanish Republics, it would remain to be proved that such rights have devolved upon Nicaragua rather than upon Honduras, Costa Rica, or New Grenada, and it is probable that each and all of those three States would establish just as good a claim as Nicaragua, and probably a better one to the inheritance of any such rights, if such rights had existed.

But I deny totally and entirely that Spain had any right to the Mosquito territory, and I therefore contend, that there is no inheritance whatever, in this respect, which can become the subject matter of dispute. On the contrary, the King of the Mosquitos has, from a very early period in the history of America, been an independent ruler of a separate territory, and he has invariably been acknowledged and upheld by the Government of Great Britain. It is quite true that by the convention of 1786 between Great Britain and Spain, Great Britain agreed to withdraw British subjects from the Mosquito territory. But Great Britain did not by that treaty either acknowledge that the Mosquitos were not an independent nation, or renounce her protectionship of that nation. On the contrary, the stipulation of the treaty of 1786 clearly mentions the Mosquitos as a nation distinct from the people living within the Spanish Dominions, and that treaty contains a stipulation which was an act of protectionship exercised by Great Britain in favor of the Mosquito nation.

In order to understand fully the treaty of 1786, it is necessary to revert to the treaty of 1783.

It appears from the 6th article of the treaty of 1783, that several English settlements having been made and extended upon the Spanish continent, on the pretence of cutting logwood or dyeing wood, and Great Britain and Spain being desirous of preventing as much as possible the causes of complaint and misunderstanding to which this intermixture of British and Spanish wood-cutters gave rise, it was thought expedient that the Government (Spanish) should assign to British subjects, for the purpose of wood-cutting, a separate and sufficiently extensive and convenient district on the Coast of America, and that in consideration of such an assignment, British subjects should be restricted from forming settlements on any other part of the Spanish territories in America, whether continental or insular, and that all British subjects dispersed in those Spanish possessions, should, within eighteen months after the exchange of the ratifications of the treaty, retire within the district specially assigned for their occupation and use.

It seems, however, that the treaty of 1783 did not sufficiently accomplish the purpose of preventing complaints and misunderstandings. It was found by Great Britain, on the one hand, that the district assigned on the Coast of Honduras to British subjects by the 6th article of the treaty of 1783, was too limited in extent, and the enjoyment of it much narrowed by the restrictions contained in the article. It was found by Spain, on the other hand, that British subjects still lingered in parts of the Spanish American territories, and the Spanish

Government found, moreover, that there were many British subjects settled in the Mosquito territory, to which the treaty of 1783 did not apply, as that treaty mentioned only the Spanish possessions in America, and said nothing about Mosquito, and did not require that British subjects should retire from Mosquito, and it seems that the revenues to Spain suffered from smuggling transactions carried on by British subjects so settled on the Spanish territory and in Mosquito.

To put an end to these mutual inconveniences, it was agreed by the convention of 1786 that a larger extent of territory should be assigned to British subjects on the Coast of Honduras, according to new boundaries described in that convention; and it was also agreed that the enlarged territory so granted should be occupied by British subjects with a greater latitude of enjoyments than was allowed by the restrictions of the treaty of 1783; and in return, in order to relieve the Spanish Government from loss by smuggling, the British Government again bound itself to recall British subjects from the Spanish possessions in America, and also took the new engagement of withdrawing British subjects from the Mosquito territory, as well as from the Spanish possessions; and the British Government further engaged, that British subjects so withdrawn and confined to the ceded district in Honduras, should, in their communications from thence to the Spanish territories, conform to such regulations as to custom duties, as the Spanish Government might think proper to establish among its own subjects.

The manner in which the Mosquito territory is, in the convention of 1786, contra-distinguished from the possessions of Spain, which alone had been mentioned in the treaty of 1783, clearly proves that by the understanding of both parties, the Mosquito territory and the possessions of Spain were separate and different things.

But any pretension of Spain to rights over the Mosquito territory, of which she had no possession, could only be founded upon a general claim of sovereignty over the whole of that Central portion of the American Continent. But if that claim existed, Spain could not have acknowledged that she had in that part of America any frontiers, except the two oceans; and, yet by article 14th of the treaty of 1786, the British Government engages not to allow British subjects to furnish arms or warlike stores to the Indians, in general situated upon the frontiers of the Spanish possessions; and by the immediately preceding mention of the Mosquitos, in the very same sentence, it is sufficiently clear that they were intended to be included among the number of Indians situated upon the frontiers of the Spanish possessions. But if Mosquito had belonged to Spain, the

Spanish possessions in that quarter would have had no frontier, except the tide line of the ocean, and upon such frontier no Indians could dwell, to whom arms and warlike stores could be furnished. It is plain, therefore, that the treaty of 1786 proves, that the Mosquitos were considered by the contracting parties as a nation, separate and independent, and were not acknowledged by Great Britain as belonging to Spain. But that treaty also proves, that Great Britain still sheltered the Mosquitos under her protection; for while the British Government agreed, for fiscal reasons, to withdraw from Mosquito those British subjects, whose presence therein, being a visible symbol of the protectorship of Great Britain, would secure the Mosquitos from any act of hostility on the part of the Spaniards, the British Government exacted from the Government of Spain, as an equivalent security for Mosquitos, an engagement not to retaliate upon the people of Mosquito, on account of the co-operation and assistance which the Mosquitos had afforded to the British in the hostilities which had taken place between Spain and Great Britain before the peace of 1783. This stipulation was a substantial and effectual act of protectorship on the part of Great Britain, acquiesced in and subscribed to by Spain.

It is demonstrable, therefore, that the convention of 1786 did not invalidate either the independence of Mosquito, or the protectorship of Great Britain; but if it had invalidated both, as between Great Britain and Spain, what would that have been to Nicaragua? or how could a convention, which was "*res inter alios acta*," have had any bearing whatever upon the rights or pretensions of Nicaragua.

I might well content myself to close here my answer to your notes; and having proved a negative, I might abstain from going into a proof of the opposite affirmative. Having shown that Nicaragua has no claim whatever to the Mosquito territory, it would seem unnecessary for my argument with you, to show by any other evidence than the documents which you yourself have quoted, that long before Nicaragua came into existence as a State, Great Britain exercised a protectorship over the Mosquitos, as a separate nation. But, nevertheless, even at the risk of making this letter needlessly long, I will mention one or two facts which clearly demonstrate that it was so.

At what time and in what manner the connection between Great Britain and the Mosquito Nation first began, is not well known; but it is certain, and on record, that while the Duke of Albemarle was Governor of Jamaica, to which office he was appointed in 1687, the Mosquito Indians made a formal cession of the sovereignty of their country to the King of England, and that in consequence of that cession, the chief of the Mosquitos, received his

appointment as King, by a commission given to him by the Governor of Jamaica, in the name and on the behalf of the King of England.

Somewhat more than thirty years afterwards, namely, on the 25th of June 1720, as appears by the Journals of the House of Assembly of Jamaica, a convention about runaway slaves was concluded between the then Governor of Jamaica, and King Jeremy of the Mosquitos.

From that time downwards, during the reigns of George 1st, 2d, and 3d, the connection of Great Britain and the Mosquito continued uninterrupted and unimpaired, and at times during that period there were British settlers established in the Mosquito territory with a British resident officer, appointed by the Governor and Council of Jamaica, on behalf of the British Crown, to superintend those settlers; and the Council of Jamaica, in a report to Governor Dallas, on the 16th of July, 1774, advertising to the inland boundary of the Mosquito territory, mention it as running along "the distant mountains," which bound the Spanish territory, a clear proof that Mosquito was a separate State and did not belong to Spain. But colonial records of the British Government abound with correspondence about the Mosquito King and nation, proving not only the strong and constant interest taken by the British Government in their welfare, but the close and intimate connection which has uninterruptedly subsisted between Great Britain and Mosquito.

If it be established, as it clearly is, that the Mosquito territory, is, and for centuries has been, a separate State, distinct from the American possessions of Spain, there cannot be a moment's doubt that the Port of Grey Town at the mouth of the river San Juan, belongs to and forms part of the Mosquito territory. This can be shown by quotations from numerous authorities, public and private, official and literary; and so far from there being any just ground to doubt that the southern extremity of the Mosquito territory includes the Port of

Grey Town, there are, on 'the contrary,' good and substantial reasons which can be alleged to show, that the rights of the Mosquito extend southward, as far as the Boca del Toro, at which place, the King of Mosquito has, at various times, exercised rights, by levying duties.

Such being the state of the matter, it can scarcely be necessary for me to say, that Her Majesty's Government cannot allow the Government of Nicaragua to mix up its unfounded pretensions to the territory of Mosquito, with the just claims of the British creditors upon Nicaragua; and any attempt on the part of the Nicaraguan Government to do so would constitute one of those cases of denial of justice and of notorious injustice, which you yourself admit would entitle Her Majesty's Government to exercise an authoritative interference in the discussion between the British bond-holders and the Nicaraguan Government.

In saying this, however, I beg not to be misunderstood, as admitting that such an authoritative interference would be proper and legitimate only in such an extreme case, a case which my respect for the Nicaraguan Government forbids me from considering to be possible as between the British bond-holders and that Government.

But, as in a matter of this kind, it is desirable that no mistake should be allowed to exist, I beg to say, that it is quite certain and indisputable, that, according to international laws, the Government of any country is at full liberty to take up, according to its own discretion, in such manner, and at such times as it may think fit, any just claim which any of its subjects may have against the Government of any other country.

I have the honor to be, with the highest consideration, Sir,

Your most obedient humble servant,
(Signed) PALMERSTON.

CHAPTER V.

ANALYSIS AND REFUTATION OF THE BRITISH EXHIBIT.

It has been said that falsehood circles the world, while truth is putting on his boots, or something to that effect. A liar may make an assertion in one sentence, which it may require a page to *prove* to be a falsehood. Our readers must, therefore, pardon us, if

our answer to this letter appears long and tedious.

In making the assertion, that Nicaragua has never occupied any portion of the territory of Mosquito, his Lordship forgets that the last claim which he himself has put

forward, as to the western boundaries of that equivocal and growing country, takes in Matagalpa, and several other considerable towns in Segovia, if not the ancient capital of that department itself. It probably, also, takes in the village of San Miguelito, and a portion of the inhabited district of Chontales. But even if his observation was so far correct, that no establishment of civilized Nicaraguans exist within the so-called limits of Mosquito, we call upon him to prove that every inhabitant of that region (except foreigners) is not, *de facto*, a Nicaraguan subject or citizen, as truly and as positively as every Seminole in Florida, or every Chippeway in Canada, is a subject of the United States, or of Great Britain? His Lordship well knows that there are other territorial rights pertaining to nations, than those resulting from actual and constant occupation, as will be shown as we proceed. He, however, admits that the Nicaraguans have occupied San Juan, of which, however, he asserts they "took forcible possession as late as 1836." This is simply not true. By order of the Captain-General of Guatemala, José Maria Gonzales Saravia, dated May 2, 1821, Don José Blanco, commander of the Fort of San Carlos, at the head of the San Juan river, for the better protection of the port of San Juan, at its mouth, was directed to build a fort there, which he accordingly did, and the ruins of which may still be seen. Upon their independence, the people of Nicaragua took possession of the fort and the harbor; but as the collection of the customs was more readily conducted at San Carlos, at the head of the river, (where, so far as then known, everything entered at San Juan must necessarily pass,) the custom officers were placed at that point, but were always recognized, and made their reports as "Collectors of the port of San Juan." All the trade of Nicaragua, on the Atlantic, was carried on through that port and river. But, in 1835, it was asserted that a communication had been opened by means of a branch of the San Juan, called the "Serapiqui," with Costa Rica, and that goods which were formerly entered, and which paid duties at the Costa Rica port of Matina, (sixty miles southward of San Juan,) were now introduced, clandestinely, by this new route. The custom-

house officers, with their guards, were therefore ordered to change their position to the mouth of the river, which they accordingly did, without the slightest opposition; and *this* is what Lord Palmerston terms a forcible seizure of the Port!

But these are matters of slight importance, compared with the startling principle which his Lordship next proceeds to lay down, and which is a practical denial of the ability of a State, which declares and maintains its independence, to succeed to the territorial rights of the sovereignty which it displaces. When this new doctrine was broached by Mr. Chatfield, we regarded it as so preposterous, and so entirely in opposition to universal practice, not to say common sense, as to need no serious refutation. But coming now from an officer, charged with the foreign administration of an old and powerful State, at a time when events indicate, with certainty, that many new and republican organizations, rising from the wrecks of ancient empires and kingdoms, will claim admission into the ranks of nations, it is entitled to special notice. If this new principle, or rather this rude denial of an old and established principle, is recognized, the limits of no new State can be fixed, and every such State must constantly be exposed to disturbance from savage tribes, discontented communities, or avaricious neighbors.

"For the sake of argument" alone, his Lordship admits that Spain had territorial rights over the Mosquito coast; but he denies that Nicaragua, and, by implication, any other State, could succeed to those rights. "The successful revolt of the people of Nicaragua," he continues, "could give them no right, with reference to Spain, except that of self-government." This sweeping declaration, which denies to a revolutionized people the right even *to live* on the soil, which they have made free, his Lordship afterwards puts forward in a modified form. "The people of each of the revolted districts of the Spanish-American provinces," he says, "established their own independence, and their own rights of self-government, within the territory which they actually occupied, and nothing more." That is to say, they acquired a sort of patch-work independence; "the districts (observe his Lordship's phraseology) which the revolting people

actually occupied," alone became independent, and belonged to the new States. Wild lands, and the unsettled districts, between actually occupied districts, still remained under the anterior order of things! A city might become free, but not its dependent territories;—the settled portion of a province might become free, but not the province;—a nation might become free, but not the territory of the nation! When the thirteen colonies sustained their independence against Great Britain, did she adopt this principle, and limit her acknowledgment of their independence to the "*districts* which the colonists actually occupied?" On the contrary, the thirteen free States were understood to comprehend the *entire territory* of the thirteen colonies, including many native tribes, any one of which was immeasurably superior, in all that goes to give a national character, or which is necessary to a national existence, whether in war or peace, to the miserable savages which his Lordship has the audacity to put on a footing with civilized nations! When Spain acknowledged the independence of Mexico, and when her Cortez, on the 4th of December, 1836, by a solemn edict, recognized the independence of *all* her revolted colonies, did she make any reservations of the districts not actually occupied at the time the colonies threw off their yoke? Nothing of the sort! Neither common sense, common right, or common practice, sustains, but, on the contrary, they do wholly deny his Lordship's position.

Here we might meet this extraordinary assertion of his Lordship, so far as concerns the case before us, by the fact that the Republic of Central America, declared by the very first article of its constitution, that it comprehended *all* the territory which had belonged to the ancient kingdom of Guatemala; and that, under this declaration, it was recognized by Great Britain,—the same power, which now denies that the republic ever had a shadow of right to a section equal to one half of those territories! But that is a point which will claim more particular attention in a future page.

We are obliged to notice the statements and arguments of his Lordship in the order in which they occur, and if, therefore, our observations, in refutation of the one, and in correction of the other, lack continuity,

the fault is not with us; for his Lordship rambles, as all men must do, when not pursuing the straight and even course of faithful narration and legitimate argument.

With this explanation, we beg to observe that his Lordship is sadly deficient in his knowledge of historical facts, to express, even in the indefinite form of a *belief*, that the independence of the Spanish revolted colonies was not acknowledged by Spain. Can it be possible that he is ignorant of the famous and eloquent report upon the subject, presented to the Cortez-General of Spain, on the 27th of November, 1836, and approved unanimously on the succeeding 6th of December, which, formally, and in a solemn act appended thereto, recognized the independence of *all these States*, and authorized the sovereign, who concurred fully in the action of the Cortez, to enter immediately into treaty relations with them? It is true, treaty relations were not established with all, simply from the force of circumstances; but the recognition was none the less actual in consequence. Said the Cortez: "*we recognize in this mode,*" i. e. by the adoption of this report and act, "*the entire independence of the new American States, so as to restore tranquillity to those regions, and render to humanity its rights.*"

It would be trifling with the common sense of our readers, to notice the remark of his Lordship, that "even though the rights of Spain over the Mosquito territory were admitted, Nicaragua might as well claim a derivative right of sovereignty over Mexico, New-Grenada, &c." Such stuff as this would not be tolerated in a school-boys' debating club. The fact that the Mosquito coast belonged to the kingdom of Guatemala, and that portions of this coast fell within the boundaries of the provinces of Costa Rica, Honduras, and Nicaragua, which were included within the kingdom of Guatemala, which kingdom became, by revolution, the Republic of Central America,—each of the provinces retaining, as States, their original boundaries! we say, these facts need only be recounted to place his Lordship in the light of a trifler with the plainest rules of reasoning.

But the basis of his Lordship's proposition is the assertion that "it is a well known historical fact that the Mosquito nation had, from time immemorial, and, up to the

period of the revolt of Nicaragua, been as free as they have continued to be from that period to this day." We will not say that the comparative or conditional form in which his Lordship has put this statement, is intended. If he means to say, (what elsewhere he does, in fact, say, and which is the claim that the English Government has set up, upon which to found their usurpation,) that the tribe of Indians, known as *Moscós*, or *Mosquitos*, on the Atlantic coast of Central America, are truly a free and independent nation, according to the standards of common sense, international law, and concurrent practice, then, and we now do, not only join issue with him, but engage to prove, to the satisfaction of every impartial man in Christendom, that his pretensions are unfounded,—subversive of all international right,—impudent and dangerous innovations,—and without a precedent in the history of the civilized world. We will also engage to show that Spain had jurisdiction over the Mosquito shore, by the double right of discovery and occupation, that England repeatedly and solemnly recognized that right, and that the Mosquito Indians never pretended to sovereignty, until excited to do so by British agents, for purposes as selfish as the means resorted to are base.

Says Palmerston: "I deny totally and entirely that Spain had any right to the Mosquito territory, and I therefore contend that there is no inheritance in that respect, which can become the subject matter of controversy."

To disprove this assertion we must inquire by what right any European nation held, or holds any portion of the American Continent; what acts were supposed to convey these rights, and whether Spain, by compliance with the same, acquired sovereignty over the Mosquito coast. Upon the principle here involved we have fortunately the highest authority.

Said Chief Justice Marshall, (*Johnson vs. McIntosh*, 8 Wheaton, 573, 574,) "Discovery is the original foundation of titles to lands in America, as between the different European nations, and gave to the nation, making the discovery, the sole right of acquiring the soil of the natives, and establishing settlements upon it. It was a right in which no Europeans could interfere." It was a right they all assert-

ed for themselves, and to the assertion of which, by others, all assented. The relations which were to exist between the discoverer and the natives, were to be regulated by themselves.

"While the different nations of Europe respected the *rights of the natives as occupants*, they asserted the *ultimate dominion to be in themselves*; and claimed and exercised the power to grant the soil while yet in the possession of the natives. These grants have been understood by all to convey a title to the grantees, subject only to the Indian right of occupancy."

The same authority says in the same:

"The lands ceded by Great Britain to the United States were, in great part, occupied by numerous, warlike, and *independent* tribes of Indians; but the exclusive right of the United States to extinguish those titles, and to grant the soil, has never been doubted; and any attempt of others to intrude in that country, would be considered an aggression, which would justify war."

Again:

"The United States maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title to occupancy, either by purchase or conquest, and gave also a right to such a degree of sovereignty, as the circumstances of the people would allow them to exercise." (*Ib.* 587.)

Discovery, then, is the basis of all territorial right, which any European nation possesses, or has ever possessed, in America; it has given a title indisputable, any invasion of which, by other nations, is a just cause of war. By it, the discoverer was left free to institute such relations with the natives as he pleased, or as the circumstances of the people would allow, without, however, any prejudice to his sovereignty.

The question then arises, what nation first discovered the section of continent, known as Central America, or that portion called the Mosquito coast? Unquestionably, the Spaniards.

In the month of August, 1502, Christopher Columbus, then sailing on his fourth voyage, discovered an island about 50 miles north of Cape Honduras, called by the natives *Guanaja*, which name it still retains. He stopped there a few days, and proceeded upon his voyage. He next discovered a point which was cov-

ered with trees, and to which he gave the name *Punta de Casinas*, which has since been changed into Cape Honduras. Upon Sunday, the 14th August, he went ashore, with many of his men, to hear mass, and on the Wednesday following (17th of August, 1502) he landed again, and formally took possession of the coast, in the name of their Catholic Majesties; calling it, from the circumstance of many of the natives having great holes in the lobes of their ears, "through which an egg might pass," *Costa de la Oreja*,—Coast of the Ear. From this point he sailed, with great difficulty, along the coast eastward, where, on the 12th September, he discovered the Cape, which, in the language of the old historian, "runs far out into the sea, when the land turns off to the south." This point he called *Cabo de Gracias a Dios*—or Cape Thanks to God. He went ashore at this point, as he had previously done, and on the 17th of September, he anchored before an island, called *Quiribi*, in which we recognize the modern Chiriqui, which gives its name to the Lagoon, or Archipelago, included in the southern division of what is claimed to be the Mosquito shore. Here he stopped for fourteen days, and held a good deal of intercourse with the Indians. He describes the Indians along the whole coast as generally naked, and speaking several languages. They presented him with young girls, and he purchased from them the gold and silver ornaments which some of them wore. (*Herrera, Hist. America, vol. i., pp. 258, 268; also, vol. iii. p. 366.*)

Thus much for the right of discovery. Columbus not only discovered this coast, but formally took possession of it for the crown of Spain. But not only so, settlements were speedily established in various parts of it; at Truxillo, San Gil de Buena Vista, Gracias a Dios, San Jorge, and other points.

Before the year 1526, the town of Truxillo was established at Cape Honduras, as it is expressly referred to in the sixth letter of Cortez, of that date, and about the year 1536 the Spaniards, who had been left in various parts of the coasts of Honduras, sent an urgent request to Pedro de Alvarado, the renowned General of Cortez in Mexico, then Governor of Guatemala, for his intervention to organize the country.

This he at once proceeded to do; and, says Herrera, (*vol. v. p. 107.*) "founded the town of Gracias a Dios, which proved a good situation, and drew an abundance of people there." He also founded another colony at Port Cavallos, now Amoa. Previously, Giles Gonzales had landed between Truxillo and Cape Camaron, where he established a colony called *San Gil de Buena Vista*.

We have thus shown that the northern part of what Lord Palmerston claims as the Mosquito coast, was not only originally discovered, but partially occupied by the Spaniards. We next propose to show that the same is true of the southern portion of the same coast.

Thomas Gage, an Englishman, in the year 1665, journeyed overland from Guatemala through San Salvador, and Nicaragua to Cartago, the capital of Costa Rica. From the latter place he crossed to the Atlantic coast, and embarked for Porto Bello, where he expected to find a vessel for Europe; but was captured by pirates, and obliged to turn back. He speaks of the coast as being inhabited by Spaniards, who had reduced the Indians, and who kept up a considerable trade through the ports of *Suere* and *Anzuelos*, which Lord Palmerston will find in the maps of this section, published by order of Parliament, designated "Swarree," and the "Port of Cartago." We quote the words of this traveller. (*Gage's West Indies*, pp. 426, 436, London, 1699): "Here (at Cartago) we learned that there was a vessel ready to set out at the mouth of the *River Suere*, and another from the *Rio Anzuelos*, but as the first was the best place to travel to by reason of more provisions by the way, more tribes of Indians, and *Estancas* of Spaniards, we resolved to go there. We found the country mountainous in some places, but here and there were valleys, where was good corn, Spaniards living in good farms, who, as also the Indians, had many hogs; but the towns of Indians we found much unlike those we had left in Nicaragua, and the people, in courtesy and civility, much differing from them, and of a rude and bold carriage; but they are kept under by the Spaniards, as much as any of those which I have formerly spoken of, in Guatemala. We came in so good time to the *River Suere*, that we stayed there but three days

in a Spanish farm near it, and then sailed."

"They had not," says this author, "sailed more than 20 leagues," when they were captured by pirates, who plundered them, and set them ashore. Here they were told that the vessel at *Anzueros* had gone; but, by the charitable assistance of the *Spaniards of the country*, were enabled to return to Cartago.

At this time, we also know, that a direct trade was kept up between Grenada and the ports of Spain, through the river and port of San Juan. The author in question describes the establishments which were maintained to facilitate the navigation of that river. The ruins of the forts, then built to defend it, still frown upon the voyager as he passes. Indeed, as early as 1527, the plan of opening a canal across the Isthmus of Nicaragua, by way of Rio San Juan, and Lake Grenada, or Nicaragua, was suggested, and one of the strongest arguments used in supporting it was, according to Herrera, that thereby "His Catholic Majesty might open a way to the Spice Islands through his own dominions."

We have also the testimony of *Equemeling*, a pirate, who was here before Gage, that portions of this coast was occupied by the Spaniards. He says, (*Narrative*, p. 163, London, 1704,) that proceeding north from Boca del Toro, they arrived at the place called the *Rio de Suere*, (*Suere*, or *Swarree*,) "where we found some houses belonging to the Spaniards, whom we resolved to visit. The inhabitants all fled, &c." From thence this party proceeded to "the Bay of *Bleevelt*, so named from a pirate, who used to resort thither, as we did." This is the Bay of *Bluefields*, now occupied by men equally unscrupulous with those who named it.

Lord Palmerston, therefore, makes the assertion that the Indians of the Mosquito coast were always a free people, and that Spain had no rights there, in total disregard of historical facts, and of the principles laid down by civilized nations, for the regulation and determination of their territorial rights in America. The Mosquito nation, so called, or that fractional tribe named *Moscós*, were distinguished by no superiority in their social, or other organizations, to exempt them from the rules, which

every where else placed the aborigines under the sovereignty of the discoverer. On the contrary, they were, and the shattered remnants, which still exist, still are among the most degraded, physically, intellectually and morally, of all the savage hordes of America. The long protectorship, which Lord Palmerston asserts Great Britain has exercised over them, has had no elevating or beneficial influence. A "*Mosco*," is a term of degradation, and a Mosco Indian is superior to nothing human, except an *Anglo-Moscan*.

We might rest the cause here, having proved the Spaniards to have been the original discoverers of the eastern Atlantic coast of Central America, thus acquiring a right which no subsequent interposition, by any other power, could invalidate,—a right which was afterwards strengthened by actual occupation. If Great Britain set up any protectorship over the savage tribes of that coast, she violated a principle of international law, and committed an act of hostility against Spain. She acquired no rights thereby, nor were those tribes relieved from Spanish sovereignty. It is therefore immaterial to the real question at issue, whether the patrons of pirates in Jamaica, at any time pretended, or exercised, a protection over the Indians, amongst whom their piratical *proteges* had sought safety from the gallows and the yard-arm.

We now come to a comparatively late period, and one of peculiar difficulty to his Lordship. He asserts that Great Britain always recognized the independence of the Mosquito Indians, and never relinquished her protectorship over them. We assert, on the other hand, that Great Britain never, in any valid manner, recognized these Indians as a nation, and never exercised any real protection over them; or if she ever did, or intended to do so, that she has repeatedly, and in the most solemn manner, by her treaties, and her acts, disclaimed both.

We have elsewhere presented a historical sketch of English intercourse with the Mosquito shore. We have shown how English adventurers (*pirates*) obtained a footing there, and noticed the attempts which England made, at various times, to obtain possession of the country in absolute sovereignty, and how she formally, and by her treaties of 1671, 1736, 1763, 1783,

and 1786, renounced her pretensions, and recognized the absolute sovereignty of Spain.

The relations which existed between Spain and the Mosquito coast, are not only to be inferred from these acts, but are thus distinctly set forth in a letter from the King of Spain to the Governor-General of Guatemala, Don José Estracheria, of the date of January 5, 1785. Says this letter:

"The Mosquito Indians, situated in the provinces of Guatemala, have been vassals of the crown of Spain, since the conquest and reduction of those dominions, and, notwithstanding that some time since they abetted certain English adventurers in making transitory establishments among them, they have since repeatedly solicited to return to the Spanish dominion, and, finally, the reconciliation which they asked for, has been benignantly conceded. Amongst the causes of their rebellion, was the uprising of many negro slaves belonging to the King, and to particular proprietors of Guatemala, who escaped to the fastnesses of the mountains, and after effecting a union with these Indians, induced them to make common cause, and, under the support of the intruding English, to attempt the freedom to which they aspired. There are indisputable facts, supported by evidence, that the Mosquito Indians and Sambos aggregated with them, are subjects of Spain, and that this monarchy has over them the eminent right of sovereignty, since by their rebellion they acquired no independence, expressed or implied; *on the contrary, they have implored pardon for the crimes which they have committed against their legitimate Government, offering, in extenuation, to drive from the territories the English and other foreigners, who have intruded themselves in the country. These offers were formally made in writing, and still exist.*"

The document here referred to may, no doubt, be found amongst the archives of Spain.

The claims here asserted by the King of Spain were distinctly put forth in the treaty of '86, and fully recognized by England. Nothing could be more explicit than that treaty. While England agrees to withdraw her protection from any of her own subjects who might continue to reside in the Mosquito coast, can it be supposed that she intended to continue it (if it ever existed, of which there is no valid proof) over the Indians of that coast? If that coast was not part of the Spanish

dominions, what right had England to treat with Spain concerning it? We have no example in history where she has agreed to withdraw her citizens from the territories of a *second*, and to disavow them if they "dared" to remain, for the benefit or satisfaction of a *third power*!

But Lord Palmerston claims that by this treaty the British Government did not terminate the protectorship, which, he affirms, it had always maintained over the Mosquito Indians. He says that the thirteenth article of that treaty is, *de facto*, an act of protectorship. But that article explains the sole reason of its introduction. It reads—"prompted solely by duties of humanity, his Catholic Majesty promises that he will exercise no acts of sovereignty against the Mosquitos inhabiting in part the countries to be evacuated by virtue of this convention, on account of the connection which may have subsisted between the said Indians and the English. And His Britannic Majesty, on his part, will strictly prohibit his subjects from furnishing arms or warlike stores to the Indians in general situated upon the frontiers of the Spanish possessions." This is only the stipulation of a powerful confederate in a crime, in favor of his weaker associate; and so far from being an act of protectorship, recognizes the right of Spain, *without* some such provision, to punish her rebellious Indian subjects, who had exposed themselves to her just anger by aiding foreign enemies in an attack upon her sovereignty. His Lordship's conclusion is a palpable *non sequiter*. If such an interposition as this is an act or evidence of protectorship, then are all the Indians of Canada under the protection of the United States; for by the treaty of Ghent, of the 24th of Dec., 1814, "His Britannic Majesty agrees to put an end to all hostilities in which he may be engaged with the Indian tribes, and to restore to them respectively all the possessions, rights and privileges which they were entitled to in the year 1811." Of a piece with this last argument, but if possible still weaker, is the claim that, as "the British Government engages not to allow British subjects to furnish arms to the Indians in general situated upon the frontiers of the Spanish possessions, and by the immediately preceding mention of Mosquitos, in the same sentence, it is suf-

ficiently clear that they are intended to be included among the number of Indians situated upon the frontiers of the Spanish possessions, which possessions, if they included the Mosquito coast, could have had *no frontier* except the ocean,"—therefore his Lordship avers, "it is plain that the treaty of 1786 proves that the Mosquitos were considered by the contracting parties, as a nation separate and independent!" If ever so weighty a conclusion was suspended on so slender a thread, history has failed to record it. The whole argument, if it can be dignified as such, is simply a petty quibble on the word *frontier*! a verbal quibble too shallow to deceive any one. When his Lordship hears of Indian outbreaks on the "*frontiers* of Canada," does he sip his coffee and conclude that the trouble is in the United States, or in the Russian possessions? If he reads of similar outbreaks on the frontiers of the United States, does he send for the Minister of War and inquire whether the trouble is in Canada or Mexico? If he reads of a French army that has been ordered to the eastern frontiers of the Republic, does he hurry on to learn whether it has entered Germany, is sweeping over the cantons of Switzerland, or descending the Alps into Italy?

The frontiers of a country are the portions lying immediately within its boundaries, as Lord Palmerston well knows, whether the boundaries are a chain of mountains, a river, the sea, or an imaginary line.

Nothing is more common than to hear the Indians of the western parts of Canada and the United States referred to, as upon the western frontiers of these countries, but according to Palmerston's new vocabulary, these countries have neither eastern or western frontiers.

We have already shown in what light Spain regarded the Mosquito coast subsequently to the treaty of 1783, by an extract from a royal letter dated 1785. His lordship says, "it is clear that by the treaty of 1786 the Mosquitos were recognized as independent by both contracting parties." The basis of this conclusion, as we have shown, is at the best a forced and unnatural construction. But fortunately,

we have documental evidence which makes it very "clear" that no such recognition was intended by Spain, whatever may have been the "*mental reservations*" of England. Some time after the conclusion of this treaty, Don Juan de Ayssa, Lieutenant Governor of Nicaragua, took the liberty of making some kind of a treaty with the Mosquitos. Upon this coming to the knowledge of Estacheria, Governor-General of Guatemala, he wrote to Ayssa under date "March 7, 1789," saying, "intelligence has reached me of a treaty (*pacto*) which you have concluded with the Mosquito chief, Carlos Antonio de Castilla Bretot, which has given rise to difficulties, as appearing to invalidate the sovereignty and jurisdiction which Spain has always had over the Mosquitos and Sambos. [He then quotes the declaration of the King of Spain already presented, and concludes,] In consequence, therefore, of the positive sovereignty which the King of Spain has always maintained over the Mosquitos and Sambos, I order you instantly (*luego luego*) to recover and send to me the original of said pact or treaty, with all the copies of the same, and the documents pertaining thereto, inasmuch as they are all in opposition to the royal will." Ayssa replied, transmitting a *copy* only of his "pact," whereupon the Governor-General wrote a still more urgent letter dated "April 4, 1789."

"Having received the duplicate copy of the agreement with the Mosco Chief, Carlos Antonio de Castilla, which you sent with your letter of the 23d March ult., I notify you that I am waiting for the original copies, extracts, or transcriptions which were made by Lieutenant Colonel Antonio Samper, and which you were to recover; and as I am convinced that the said Chief Carlos should not be allowed to possess any copy or extract from them, I order you to inform me *definitely*, whether he has any such documents or not, and in case he has, I order you to advise the Governor (of Nicaragua) not to leave this matter unattended to when he goes to Tubapi, and that he may take them (the documents) away from him (the Chief Carlos) making use of the best means and pretexts, for it would be most absurd, if in the present friendly relation with this caste, he should be permitted to hold a document implying that it has at any time been independent of Spain; and when, notwithstanding the enmities and hostilities which have transpired, His Majesty has de-

clared that the crown 'has never recognized tacitly or explicitly their independence.'

God preserve you many years.

JOSE ESTACHERIA.

To the Senior Counsellor of the Government and Intendency of Leon, (Nicaragua.)"

But his Lordship is not to be deceived by his own arguments. He is painfully conscious that they are untenable; and retreats upon his first position, which, as it involves no questions of fact, and is simply a bold assertion, seems to offer him better shelter than any other. He says, "but if these acts [the treaties referred to,] did invalidate both the independence of Mosquito and the protectorship of Great Britain, as between England and Spain, what would that have been to Nicaragua?" This reminds us of the plea of the country lawyer about the kettle: "In the first place, the kettle was cracked when we got it; in the second place, it was whole when we returned it; and in the third place, we never had the kettle!" What is that to Nicaragua? In good sooth, my Lord, it is in itself sufficient to establish her claims, apart from any other considerations.

After the kingdom of Guatemala had effected its independence, a convention was called to organize a general constitution, which was done on the 22d of November, 1824, and acceded to by all the provinces now raised to the dignity of States. By tit. 1, sec. 2, art. 5, of this instrument, it is declared:—

"The territory of the Republic is the same which was comprehended in the ancient kingdom of Guatemala, with the exception for the present of the province of Chiapas."

In the Law 6, tit. 16, lib. 2, of the "*Recopilation of the Indies*," the boundaries of the Kingdom of Guatemala, are thus set forth:—

"In the city of Santiago de los Caballeros, in the province of Guatemala, is our Court and Royal Chancery, (Audiencia y Chancilleria Real,) with a President, Governor, and Captain-General, five Judges, with also Criminal Alcaldes, a Treasurer, an Alguacil Major, a Vice Chancellor, and the other necessary Ministers and Officials; and they have for their jurisdiction the said province of Guatemala, and those of Nicaragua, Cheipas, Higueras, Honduras, Vera Paz, and Saconneco, with the islands of the coast. The parts

to the northward terminate with the Andience of the main land, (Mexico); on the westward, with that of New Galicia, and it (the jurisdiction) extends from the North to the South Seas."

From the provinces of the ancient kingdom were formed five States: Costa Rica, Nicaragua, Honduras, San Salvador, and Guatemala. The constitution defined their limits, sec. 1, art. 15, chap. 2. Costa Rica is defined as follows:

"The territory of this State extends, for the present, from east to west, from the river Salto, which divides it from Nicaragua, to the river of Cheriqui, which separates it from the Republic of Colombia; and from the North to the South Seas." "Upon the north," it also states, "its territories extend from the mouth of the river San Juan to the Escuda of Nicaragua; and on the south coast, from the mouth of the Alvarado to that of the Cheriqui."

The territories of Nicaragua are defined as comprehending:

"The departments of Nicaragua, Grenada, Masaya, Managua, Matagalpa, Segovia, Leon, Subtiaba, and Realesjo: its limits are on the east, the sea of the Antilles, on the north the State of Honduras, on the west, the Gulf of Conchagua and the Pacific ocean, and on the south-east, the free State of Costa Rica."

After the dismemberment of the Republic, Nicaragua transcribed those limits in the fundamental law.

The Republic of Central America, proclaiming these limits, was recognised by Great Britain, who, as early as 1826, opened diplomatic relations with its Government, and in 1838, was also formally recognised by Spain, as we have already seen; who, by that act, relinquished whatever rights she may have possessed, over all parts of the territory of the Republic as proclaimed in her constitution.

Upon the dissolution of the Republic, and the organization of Nicaragua as a sovereign State, Great Britain opened diplomatic relations with her, which have been continued to this time; thus recognizing her independent existence. In 1839, the British Government went so far as to promise its mediation in favor of Nicaragua, in the war then existing between that State and Morazan. It has since received

Ministers from Nicaragua, and in the most positive manner recognized her national existence. So much generally. Now we stand ready to prove that the particular port of San Juan, which after all, from its controlling position, is the principal object of his Lordship's ambition, and which has given rise to the troubles already recounted,—that this port has not always been in the possession of the Spaniards, and their legitimate successors, but has been effectively acknowledged by Great Britain to belong to the State of Nicaragua.

From the establishment of settlements, and the founding of the city of Grenada, on the Lake of Nicaragua, the commerce of that town has been carried on through the river and port of San Juan. To protect this route, works of the most massive and costly character were established upon its banks. The ancient castle of San Juan, is one of the most remarkable defensive structures on the continent, and even now, although in ruins, excites the wonder and admiration of the traveller. If settlements were not founded on its shores, or if a large town did not grow up at the port, it was because the magnificent interior offered, in climate and other respects, greater advantages to the colonist. But the occupation of the river was not less actual in consequence of the paucity of inhabitants on its banks. We have the testimony of Gage and others, that as early as 1665, establishments provided with mules, were kept up to facilitate the transportation of goods, and the ascent and descent of vessels. The fort of San Juan, as appears by an inscription on its walls, was *rebuilt* in 1747, at which time not less than twelve military stations were established at intervals from the head of the river to its mouth. Among these was the castle of San Carlos, on the hill at the junction of the river of that name with the San Juan, which is now claimed to fall within the territory of Mosquito! The traces of these stations still exist, and have been seen by the writer of this article. This was the most effective kind of occupation. But this is not all. By a royal order, issued by the King of Spain, and dated February, 26, 1796; "in order that the people of Nicaragua might trade direct with Spain," the port of San Juan de Nicaragua was made a port of entry, and acquired thereby the privileges

attached to such ports. By a royal order of 27th March following, regulations were made for promoting the settlement of the country in the neighborhood of that port, among which was one authorising the introduction into the ports of Spain, of dye or other woods cut there, as also coffee, grown there, *free of duty*. In the report of the committee of Fortifications of the Indies, of the date of September 30th, 1803, it is stated, that the inhabitants of the island of St. Andrews, off the coast of Mosquito, and evacuated by the English at the same time, had the year previously raised 4000 quintals of cotton. For his energy in promoting industry, it is proposed in this report, to raise the salary of the Governor of this island, and also to place the Mosquito coast under his general direction. This report speaks in high terms of this island as a *point d'appui* to "protect and attend to the useful establishments in the desert coast of Mosquito, and to encourage, in due time, those which the committee propose to establish *anew* in Cape Gracias a Dios and the Bay of Bluefields, as set forth in the memorial presented to your Majesty on the 5th of August last." On the 25th of September, the King of Spain issued a royal order in reference to the Mosquito coast, in which it is said, "that the defence of the kingdom of Guatemala is *inseparable* from the obligations respecting this coast." On the 21st of October, the committee reported to the King, that in garrisoning the settlements on this coast, there were then employed, "19 officers and 150 men of the permanent regiment of Guatemala, and 16 officers and 50 men of the militia, which were relieved every four months." In fact, the whole paper, which is very long, is devoted to suggesting the best means to defend and encourage the settlements on the Mosquito coast, and promote the establishments of new ones. Among the measures for this purpose, they suggest that presents be made to the Indians, and treaties made with them," &c., &c.

At this time there was maintained at San Juan a small military force, which was augmented, as we have seen, by an order of the Captain-General of Guatemala, in May 2, 1821, and new defences erected. It was duly taken possession of, after the independence of Central America, and

being within the province of Nicaragua, it remained in its possession afterward as a federal State and as an independent Republic.

That it was recognized by Great Britain as a port of Nicaragua, appears from the fact that it was blockaded, by order of the British Government, in 1842, and in the year 1844. These blockades were carried into effect by Vice Admiral Adam Knight, "Commander-in-chief of the British forces in North America, the West Indies and adjacent seas." The last, instituted Jan. 24, 1844, was declared in order to recover the sum of \$14,000, alledged to be due to British subjects. It declares "blockaded the port of San Juan de Nicaragua, and that all commerce with that port shall cease, until all the claims of Her Britannic Majesty's subjects are satisfied, and to that effect a sufficient force will be placed before said port."

What Lord Palmerston calls affirmative evidence, is all disproved by the facts adduced at the outset of this memoir. It may be admitted to be true, that the Governor of Jamaica, with, perhaps, at times, the connivance of the British Government, kept up some kind of communication with the Mosquito Shore, and intrigued against the legitimate sovereignty of the country. Yet all such acts were illegal, and in violation of the principles adopted by European nations relating to territorial rights in America, and practically and repeatedly disapproved by England. Their recapitulation proves nothing; it is only a declared detail of protracted aggressions and flagrant attacks on the sovereignty of Spain, the recital of which weakens instead of supporting the pretences which Great Britain has lately thought proper, for obvious reasons, to set up.

We now claim to have proved, beyond reach of successful contradiction,—

1st. That the Spaniards discovered the entire Mosquito coast, and occupied portions of it, before a subject of any other country ever placed his foot upon the soil of Central America.

2d. That it is a well-established principle of international law, that *Discovery* invests the discoverer with an exclusive right to sovereignty, and that, therefore, this coast belong-

ed to Spain, as truly as the coasts of Mexico or Peru.

3d. That the original rights of Spain were never invalidated by any lawful act, and, were in full existence, until the independence of her colonies, which acquired her rights, in virtue of natural and international law, and by the formal relinquishment of them by Spain.

4th. That Great Britain repeatedly, by her acts and treaties, recognized the exclusive sovereignty of Spain over that coast.

5th. That the coast was included, and of right, in the territory of the Republic of Central America, which Republic, as thus constituted, was recognized by Great Britain.

6th. That the coast was comprehended within the territorial limits of the several States of the Central American Republic; that the parts falling within the State of Nicaragua pertained to her, and, of right, when she became an independent Republic, as she did, upon the dissolution of the confederacy; and that so constituted, she was recognized by Great Britain, which power also recognized, specifically, the proper jurisdiction of Nicaragua over the part of San Juan, by official acts of a conclusive nature.

These premises established, how stands the pretensions of Great Britain? We leave the answer to a British writer of ability, who investigated the subject fully, and who thus sums up the results of his inquiries in the "*British Quarterly Review*," Vol. xxviii., 1822-23, p. 159:

"Nothing can more clearly establish the sole right of Spain to these territories, than the treaties and evacuations above mentioned. We never had any right there. If treaties are to be considered as at all binding, it is clear that we have not the right, nor even the permission of residence on the Mosquito shore; and that we cut logwood and mahogany on the shores of Honduras, only by sufferance."

This conclusion will be concurred in by every impartial mind.

The practical question now is, shall Great Britain be allowed to perpetrate these aggressions with impunity? Can the United States and the commercial world permit her to obstruct or control that great canal across the Isthmus of Nicaragua, the construction and freedom of which is so essential to the interests of mankind? Can the flagrant violations of principle which these aggressions involve, be allowed to

pass into a precedent? And can the United States, and the other Republics of America, permit the extension of monarchical institutions over countries in fact and of right free and independent Republics? So far as the United States is concerned, we feel sure that the response to all these questions will be, an emphatic and indignant negative.

President Monroe, as early as 1823, promulgated a principle which lies at the foundation of American policy, and is unanimously sanctioned by American sentiment. Speaking of the monarchical powers of Europe, he said:—"We owe it in candor to the amicable relations existing

between them and the United States, to declare, that we shall consider any attempt upon their part to extend their system to any portion of the American continent, as dangerous to our peace and safety." He also added, that the "United States cannot fail to view any interference, on the part of any European power, for the purpose of oppressing them, or in any manner controlling the destinies of the Spanish American Republics, as the manifestation of an unfriendly disposition towards herself."

These positions are right, and must be sustained.

[The following are documents partly omitted between pages 202 and 203.]

GRANT TO JOHN SEBASTIAN RENNICK.

BE KNOWN BY THESE PRESENTS, AND BY POSTERITY, THAT WE, ROBERT CHARLES FREDERIC, KING OF THE MOSQUITO NATION, considering the services which may be made to us, and to our nation, by *John Sebastian Rennick*, of the city of London, merchant; and in consideration of the sum of £1,000, which said Rennick has paid to us, and the receipt of which we hereby acknowledge, with our own free will, we GRANT and convey, by the same, under the Seal of our kingdom, in favor of said John Sebastian Rennick, his heirs and representatives forever, all the river Patook, located between 15 deg. 48 min. N. lat., and 84 deg. 14 min. W. long., at the distance of 49 miles from the mouth of a certain river of our kingdom, called Black River, to the E. S. E. thereof, together with the whole territory adjacent said River Patook, viz: 10 English miles measured from each bank of said river, from its mouth as far as the Spanish limits, (according to the map of Com. Owen), with all the cultivable lands, meadows, pastures, waters, woods, forests, streams, and waterfalls, fisheries, duties and rights belonging to said lands, or to any part of them whatever. *Item*.—Said Rennick and his heirs, or representatives, shall hold and possess said lands and properties, and they, and the inhabitants of said lands, shall have the right to make use of them, to go in or out of them, and to navigate in all the rivers or waters in, or adjacent to them, without let or hindrance on the part of our subjects, and they may introduce foreigners, and all kinds of persons to populate and colonize said dis-

trict, and cultivate lands, &c., &c., &c., &c., and the said Rennick, his heirs, or successors, shall have the right to impose and receive contributions, taxes, and duties, such as they shall deem proper, upon and from the inhabitants of said district, and upon goods which may be imported or exported, according to the use and customs of European nations. And, lastly, we renounce, for all future time, the right to impose duties or taxes of every kind upon the inhabitants of said district, their persons or property, and upon all goods which may be imported or exported, &c., &c. And we, and all our subjects, bind ourselves to make good and true this our will.

Done and Sealed with the Seal of our kingdom, the 20th of Sept., 1838.

ROBERT CHARLES FREDERIC.

Signed and Sealed before the witnesses, who equally have signed.

JAMES BOWDEN,
GEO. R. BROWN,
GEO. PEDDIE,
EDWARD DAVIES.

This grant, it will be seen, is an absolute renunciation of sovereignty over the limits described, and which are indicated in the accompanying map.

On the 28th of January following, the same "independent sovereign," "by and with the consent of his chiefs," conveyed to Samuel Shepherd, Peter Shepherd, and S. T. Haly, British subjects, and inhabitants of Jamaica, another large portion of his pretended dominions:

CESSION TO SHEPHERD AND OTHERS.

KNOW ALL MEN PRESENT AND TO COME, THAT WE, ROBERT CHARLES FREDERIC,

KING OF THE MOSQUITO NATION, *by and with the consent of our Chiefs*, and in consideration of the true and laudable services to us rendered, and hereafter to be rendered by Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, late of the Island of Jamaica, of our special grace and of our certain knowledge, and our free motion, Have given and granted and by these presents sealed with our seal, Do give and grant unto the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns: All that tract or district of land, situate, lying and being between the South side of Great River, and the Northern Bank of Bluefields Main River, butting and bounding Westward on the Spanish lines, and Eastward on the Sea coast, together with all that tract or district of land situate, lying, and being between the South side of Bluefields Main River and the Northern Bank of Saint John's River of Nicaragua, butting and bounding Westward on the Spanish lines, and Eastward on the Sea coast, together with all arable lands, meadows, pastures, waters, trees, woods, underwoods, and the ground and soil thereof, mines, minerals, quarries, ways, waters, water-courses, forests, chases, parks, warrens, fishings, fisheries, and all and singular the liberties and profits of the said lands or any part thereof deemed or known as part or member, with their and every of their appurtenances, to have and to hold the same unto the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns, forever as tenants in common and not as joint tenants: And we do hereby declare, that it shall be lawful for the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs, and Assigns, on the said tract or district to erect houses and other buildings, and to introduce foreigners to settle upon and colonize the said tract or district and to cultivate the land thereof; and further, that it shall and may be lawful for the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns, and the inhabitants of the said tract or district, freely to pass and repass to and from the said tract or district, and to navigate all rivers and waters running through the said tract or dis-

trict or communicating therewith or with any parts thereof, and to cut the timber and underwoods on the said tract or district of land, and to hold and carry away, and to mine for and get the said mines, minerals and quarries, and to hold and carry away the same, and to hunt and fish, and the produce of such huntings and fishings to hold and carry away as their own proper goods and chattels without the let, suit, or hindrance of us or our subjects. And we do hereby declare that we will not at any time hereafter impose any taxes, dues or customs upon the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs or Assigns, or upon the inhabitants of the said tract or district, or their lands, goods or chattels, without the consent of the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs or Assigns, and that we and our subjects will not trouble or molest the same, but will at all times do all things which may tend to their succor and protection.

Given under our hand and Seal, the twenty-fourth day of January, one thousand eight hundred and thirty-nine, and in the fourteenth year of our reign, and then executed on paper in the presence of these witnesses, to wit, J. M. Daly, G. C. Shepherd, G. Vize, F. Bouchet, Robert Haly, and S. T. Haly, jr, and now re-executed on parchment, as a duplicate, this 28th day of November, in the year of our Lord, and in the year of our reign as aforesaid.

ROBERT CHARLES FREDERIC.

Be it remembered that on the Twenty-fourth day of January, one thousand eight hundred and thirty-nine, peaceable and quiet possession of the lands and other hereditaments within mentioned to be granted and enfeoffed, was taken and had by the within named Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly; and by the said Robert Charles Frederic delivered to the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns forever, in the presence of us.

Signed, sealed and delivered in the presence of us, George Vize, Thomas Lowry Robinson, General Peter Slam.

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

(Continued from page 187.)

CHAPTER V.

Few lawyers, I hope, deserve to be likened to satan. Yet Somers, as he entered the Everstone grounds, felt almost as much compunction as if he had been, in very truth, Milton's hero gliding stealthily through the gate of Paradise. He saw around him a scene of beauty and happiness, and could not but be conscious that he was laboring with all his might to introduce desolation and sorrow. Yet his motives were unselfish. This reflection gave his mind support, though it failed to give it perfect peace.

What would be thought of him coming there at that season? Would he seem a churl, insolent, hard-hearted, devoid of all sense of propriety?

This query found no very satisfactory answer in the manner of his reception. Evelyn could not be otherwise than courteous; but what is there worse to bear than cold and distant civility? The difference in Sidney was still more striking; for as she was by nature frank and undissembling, any degree of reserve sat ill upon her. Somers tried to place himself on the familiar footing which he had formerly occupied in that house, but it was impossible. He was treated as a stranger, to whom hospitality is due, and nothing more. His situation was indeed far less comfortable than that of a stranger; for what visiter, thrown, for the first time, into a Southern household, and previously unknown, it may be, to each of its inmates, does not find himself immediately at ease? If Somers attempted to begin explanations, Evelyn carefully changed the conversation to some

indifferent matter, his demeanor seeming to express that he was quite unaware of the existence of any circumstance needing elucidation or amendment.

The guest had not made up his mind to take a hasty leave, which movement he thought might imply a tacit acknowledgment of the suitableness of the newly assumed basis of social intercourse, when he heard the noise of carriage wheels without. Heartily glad he was of the diversion, for his patience and conversational resources were alike near exhaustion. Presently, who should enter but Mr. Astiville and lady?

"Worse and worse!" murmured Somers.

The cordiality manifested towards these *welcome* guests, afforded a marked contrast to the greeting which had been bestowed on him. After the interchange of salutations and hearty grasp of hands, it was remembered that there was a third party in the circle. Mr. Astiville nodded his head slightly—it was never his custom to bow—and stared with dilated eye-balls, as if to convince himself that he did not mistake the person whom he saw there. To Mr. Astiville, Somers was formally introduced. As all took their seats, his chair happened to be some distance from the group in which the others were collected. It is awkward to be a listener to observations not addressed to you. Somers finding it so, was on the watch for an opportunity to alter the posture of affairs. Pretty soon Evelyn and Astiville got engaged in discourse across Sidney, who was sitting

between them. In a rocking-chair, apart from the trio, meditated Mrs. Astiville.

"That's a clever-looking old lady—I'll try her." Accordingly the resolute attorney moved his seat to her side.

"Are you just from home, madam?"

"The clever old lady," now, for the first time, turning partially towards him, and after a deliberate examination of his features and person, answered:

"I have just come from Greywood."

"You had a pleasant drive, doubtless; at least, I know that the portion of the road this side of the run has been so skillfully conducted by Mr. Everlyn as to furnish a delightful variety of prospects."

"I have not crossed the Hardwater, sir," said Mrs. Astiville, dryly.

"Ah, indeed! I understood you to say, madam, that you had come directly from your residence."

"I did say so, sir; but, perhaps you are not familiar with our neighborhood. The Hardwater flows south of this, while Greywood lies to the north. The only stream of any consequence which I have had to cross is what has sometimes been called the Upper Branch."

Somers, not choosing to waste on the good lady arguments that ought to be reserved for a more impartial tribunal, bowed in submissive acknowledgment of her more accurate information. Common topics, however, were scarce; he could not afford to abandon that with which he had started. The best that could be done was to confine one's self to safe generalities.

"This is a fine country," he remarked, "to be enjoyed by the traveller on horseback, but the roads, I think, except in the immediate vicinity of a gentleman's residence, cannot be perfectly safe for any vehicle less substantially constructed than a four-horse wagon."

Mrs. Astiville returned a simple assent.

"There is an especial negligence," continued Somers, "in providing convenient modes of access to the various places of worship. I was much affected the other day at seeing a venerable Episcopal church, built, I understand, before the Revolution, almost in utter ruin; and on making inquiry, was informed that some of the families that had been in the habit of attending it, had moved away, and that others at a distance were deterred from assembling

there by the almost impassable condition of the roads."

This touched a sympathetic cord in the old lady's breast, and she responded with a degree of animation:

"You refer, no doubt, to the church of St. Michael. I am greatly grieved at the state it is in, for many were the times in my youth that I heard the service read from its desk. Of late years, I have attended the church near Reveltown. It is farther, but the road there is far better."

"Yes," said Somers, "that is a road which might be called good in any country. I believe we are indebted for its admirable condition to the Northern settlers."

Mrs. Astiville, upon this home-thrust at prejudice, hastened to withdraw within her shell.

"It is possible," she said.

Her husband came to her rescue. "I do not know," he observed, "that we ought to attribute the improvements in the vicinity of the new settlement to the character of the population so much as to its *density*. The Yankee animals are of a gregarious kind and nestle together, so that they can without difficulty make a considerable show within the narrow limits to which they confine themselves."

"Well," returned the lawyer, indifferently, "I am disposed to be thankful to them for the road, without troubling myself to investigate the cause of their ability or inclination to make it."

"I agree with that sentiment so heartily," remarked Mr. Everlyn, "that I could be content never to have an opportunity of observing them more closely. But, unfortunately, they do not adhere to their rule of always clustering together, and occasionally send off stragglers who pitch their tents nearer by than some of us have reason to desire."

Somers, perceiving that the turn which the talk was taking was not calculated to make him feel a whit more at his ease, rose up. But at that instant a peal of thunder shook the house. Everlyn lowered the sashes of the windows, and said:

"You must not think of going yet, sir; we are about to have a heavy gust."

Somers saw the necessity of tarrying. While he waited, tea was served. Then the luckless guest found his escape quite

cut off, for the thunder shower had become a settled rain. If he had been a physician he might have pleaded the danger of some patient, but no other pretence would have been held to justify offering such an indignity to his entertainer as a departure at night, and in a storm, must have involved. There was no alternative, therefore, but to stay; yet, on that evening, "the worst inn's worst room" would have pleased Somers better than the parlor of Everstone, adorned though it were by the presence of its mistress. Indeed, as far as his benefit was concerned, the young lady might as well have been a picture on the wall, for no opportunity would she allow him to talk with her. Again he had to fall back upon Mrs. Astiville. Knowing her interest in the clergy, he discussed the respective advantages of written and unwritten sermons, made critical observations upon the style of delivery of various neighboring preachers, and analyzed most thoroughly the knotty question as to the propriety and expediency of a system of free-pews. The way thus smoothed, he ventured to inquire whether she did not think it a good sign for the Northerners that they showed a disposition to build churches.

She admitted it, though rather reluctantly.

"Then," said he, "there are at least two good things about them; they build churches and make roads. Are they not also industrious and frugal?"

"Perhaps so," replied Mrs. Astiville, observing his drift, and preparing to relapse into coldness.

Somers continued perseveringly, "Is it not impossible that persons like these, orderly, industrious, and religiously inclined, can fail to make good citizens?"

"Tastes differ," said Mrs. Astiville, "for my part, I prefer the manners and character of the old race."

"I agree with you in that opinion," rejoined Somers, frankly, "but let us consider that there are not enough of us Southerners to fill up the country. It does seem to me, therefore, a most fortunate circumstance that our deficiency of numbers can be supplied by immigrants liable to so little objection as are these gentlemen from the North."

"Ah, but," said the old lady, folding up her spectacles and speaking with energy, "it would not be so bad if they would live

and let live, but I fear they are going to push away the ancient families as well as the *ancient land-marks*. Their improvements, which you speak of, commence with devastation. I can bear to see the ruin which time makes. A tree that I played under in childhood may decay and lose one branch after another; the spectacle may sadden, but it does not pain—it only shows that the material universe and I, exist under the same law. If a family be smitten by Providence, and the homestead be left to crumble, unguarded and without repair, beneath the summer's rain and winter's frost, that is an object to make one sigh and weep, but it does not stir one's anger like a sight which I saw no longer ago than yesterday. Doubtless you know where the old Seymour mansion is situated?"

"You mean that near Anderport—built, I have heard, by Wriothlesly Ander."

"Yes, the same. Well, sir, my grandmother was a Seymour; and yesterday, being in the neighborhood, I thought to gratify myself by one other visit to the old place. I knew it had fallen into the hands of strangers—they may have come from Massachusetts, or New York, or Pennsylvania, I never inquired their origin—but certain I am, that our kindly southern sun did not shine upon the place of their birth. They have bought house and land; from the one, it is said, they raise large crops; the other makes them an indifferent barn—Yes, sir, a *barn*. The oaks which stood around the building and which had been the pride and wonder of seven generations, stand there no more. Long piles of fire-wood and huge prostrate trunks appear in their stead to deface the lawn and give it the air of a lumber-merchant's yard. In the great hall of the mansion we found a corn-sheller at work, whilst the adjacent rooms contained heaps of different sorts of grain. The plastering in many places had fallen and disclosed the bricks. We were permitted to enter the apartment which civilization had used as a parlor. Our way was obstructed by rough upright studs, placed there to support the joists above, which, solid as they are, were not calculated for such novel burdens as are now imposed. In adjusting the tops of these studs, the beautifully moulded ceiling had been stripped away without remorse. Unable to remain longer a spectator of the havoc which had been

committed within, I walked out to the rear, where a piazza stretches the whole length of the main building. Northern architectural skill it seems had detected here a superabundance, as in another place a deficiency of strength. The second floor of the piazza, laid upon beams imbedded deep in the wall, was deemed to require no additional support. The lower *columns*, therefore, of polished cedar, were found quite superfluous, and in the progress of reform, had been removed, probably to serve as support for gates, through which Northern-bred oxen may pass with as little inconvenience as possible to the labor-saving boors who drive them. But what need to recount the things I saw—such spectacles will soon become familiar and common under the operation of the modern system."

"I grieve as much as any one," replied Somers, "to witness the decline of an old and honored family, but do not let us mistake consequences for causes. Are these settlers to be blamed for the errors or misfortunes of those who preceded them? Are they accountable for the waste and abandonment which invite them hither?"

"No," answered Mrs Astiville, promptly, "nor does the bird of carrion slay the carcass!"

Somers, without regarding the old lady's interjectional remark, proceeded, "Different orders of beings have their different instincts and habits of action. It is so amongst the lower animals, and it is so with the various races of mankind. The Indian thinks an edifice like this in which we are now sitting an unseemly excrescence upon the face of nature; the clearing which, Mr. Everlyn has made with such happy judgment, the savage would call wanton destruction. The practical New Yorker differs from both. Shall we blame him; and for what?"

"His want of taste," said Mrs. Astiville.

"But, madam, may not the planter in his turn meet the same accusation from the Indian. What is taste?"

The lady hesitated awhile, then turning to Miss Everlyn, who, she perceived, was an attentive listener to the dialogue, she said, "supply me with a definition, Sidney."

"Taste, it seems to me," responded

Miss Everlyn, "is the sense of fitness in the arrangement of objects."

"Yes, that is it precisely," Mrs. Astiville said, directing her eyes again towards the gentleman.

"I, too," said Somers, "am quite content with the definition. Let us apply it. Is the Indian destitute of taste, because he prefers the natural rugged grandeur of the forest, to the changes introduced by civilization?"

"By no means," returned the elder lady, "He does not violate the law of propriety, for was not the forest made for man?"

"But how is it," resumed the lawyer, "with the Southern colonists who succeeded the savage, and who built mansions, levelled spacious lawns, and conducted serpentine carriage-ways through groves and verdant meadows? They have disturbed that adjustment of nature for adhering to which the Indian receives your approval."

Mrs. Astiville saw the conclusion to which her opponent wished to drive her, and warily attempted an escape.

"Necessity compels us to deviate in some degree from the unsophisticated simplicity of nature, but we obey taste, and go no further than our wants require. We cannot live, like the savage, by hunting; to raise grain some trees must be cleared away, but we leave as many standing as this stern necessity allows. The world, as it came from the hand of the Creator, is better than any we can make; we prove our taste, therefore, by defacing it as little as possible."

Somers smiled, "I yield to you, madam, as to the trees. In truth, I never could myself see one felled without a degree of pain. I can understand the pathos of that expression of Holy Writ—'His hope is removed like a tree.' But how does the case stand with regard to habitations? You acknowledge the wigwam to be a tasteful structure, yet nothing can be more unlike a wigwam than a dwelling such as this, or the rough-cast mansion at Anderport. There is no burden of necessity here, for surely it is as easy to eat *bread* under a roof of skins as it is to eat *venison*."

"The Indian's dwelling," replied Mrs. Astiville, "agrees with his way of life; so does ours with our own."

"And the Yankee's with his," added Somers. "Why then reproach him?"

"Because," said the old lady, "his way of life is not so good as ours."

"Is ours as good as the Indian's."

"Yes."

"Why?"

"Simply for this reason," answered Mrs. Astiville, "if all the world lived like the Indians, we should starve."

"Let us then judge the Northerner by the same standard. He cuts down the park and ploughs up the lawn, and thus raises a greater amount of food than was raised by his predecessor. Every additional bushel of grain which is produced, increases the general supply in the world, does it not?"

"I suppose so."

"And further, there are many human beings in the world, who suffer annually for want of adequate sustenance."

"It is a sad truth," said Mrs. Astiville.

"Then are not those who increase the supply of food in any country and, aided by the distributing power of commerce, make food more abundant throughout the earth, universal benefactors? The Northerner does this. Ought we to visit him with undistinguishing blame?"

Both ladies were silent.

Somers continued, "If the Northerner, besides raising larger crops, endeavors also to preserve them as far as possible from subsequent loss and injury, do you believe him unjustifiable? Perhaps he finds on the estate he has purchased, a building larger than is required by the domestic wants of his family; may he not appropriate it to other purposes? If you are disinclined to make this admission, you must at least, I think, allow that his conduct is not inconsistent with good taste."

"Good taste?" echoed Mr. Astiville.

"Yes, with taste, as you have defined it."

"I rather suspect," said Sidney to her elderly companion, "that we committed a mistake at the outset, and gave the definition, not of taste, but of utility. Taste is a very different thing—a sentiment—an instinct—at all events, something too spiritual and intangible to be cramped within the bounds of verbal expression. The Northern people, I dare say, act very properly and usefully, yet—"

"What's all this going on here?" exclaimed Mr. Astiville, "Look to it, Ever-

lyn, I fear this gentleman is making a traitor of your daughter. My wife too, I see, is reduced to silence. How?—the Yankees are acting properly? Fie, Miss Sidney, you are worse than the jury. They hung, and for doing that deserve to be hanged; but you, it seems, go the full length, and decide for the adversary. I do not wonder at Mr. Somers, he is paid for defending the Yankees, and is doubtless bound to laud them on every occasion. Gilt spectacles are excellent things to improve the vision. Many admirable traits in the Northern character which escape our notice, must be quite perceptible to him."

This banter, by whomsoever uttered, could not have been very agreeable to the attorney, and coming from Astiville, a man whom he almost loathed, it was exceedingly offensive. He answered with quickness, "If prepossessions could lead me to disregard duty, no one would long more eagerly for the defeat of the three New Yorkers. The interest I feel in Mr. Everlyn's success is a stronger retainer than the largest pecuniary fee ever paid to barrister; yet, if my client, be he the veriest wretch that walks God's earth, have right on his side in the particular case in question, I will not desert him, cost me what it may!"

"We are to understand, then," said Mr. Astiville, "that a legal gentleman's conscience charges him to be as zealous against his friends as for them."

"As for my part," replied Somers, "I endeavor to act without regarding persons, but human nature is weak; I doubt not I should proceed with more zeal and energy if Mr. Everlyn were not one of the parties against whom I am placed in opposition."

Astiville, noticing that the lawyer was careful to avoid all terms which might imply any reluctance to act against him as well as Everlyn, conceived he had a right to be angry.

"You would be very well satisfied, then, Mr. Somers, to support these scurvy Yankees against me alone?"

"If the thing were possible," answered Somers, "I could wish that a suit should have no losing party."

"Yet you make a distinction in my friend's favor, why not in mine?"

This was said by Astiville for the purpose of compelling the other either to a rudeness or to a polite fib. Somers, in such

a dilemma, preferred the rudeness. Yet, to his credit be it mentioned, that he did his best to disguise the uncivil sincerity.

"I profess," he said, "to entertain a special friendship for Mr. Everlyn, and it will not do for me to declare in his very presence, that I am ready to bestow an equal share of esteem on any other person."

"Oh, I think, sir," replied Astiville, "that you are quite too cautious; my friend's conviction of the depth and fullness of your regard, cannot, I know, be shaken by a harmless little compliment paid to another, who, possibly, may not be altogether undeserving of courtesy. If he were capable of doubting your assurances of devoted friendship, he could not resist the signal proof which is afforded in your laborious exertions to strip him of land and home. Never was attachment more remarkable. You know that he is a man of exquisite taste, and wish to gratify him by the spectacle of the embellishments which Messrs. Schrowder and Newlove will add to his now delightful home. Too refined to dream of investing him with gross material advantages, you seek to supply the wants of his inner nature; to satisfy those deep-seated sentiments, which, according as they are indulged or shocked, give happiness or misery. I commend the excellent tact which you display, sir."

The blood rushed to Somers' cheek, but restraining his passion, he answered in deliberate and measured tones, "If I have fallen under Mr. Everlyn's displeasure for obeying the imperative call of honor and duty, it is my misfortune, and affects me with deep grief. Yet, I do not acknowledge myself accountable for my conduct to any man whatsoever—not even to him—and least of all to an individual who—"

As he paused to select his terms, Everlyn hastened to interpose—"Believe me, Somers, I impute to you no blame—not the smallest degree. I may say, without impropriety, I hope, that I had rather you were for me than opposed to me, but it would be unwarrantable, indeed, to entertain any feeling beyond this. Upon you, I am well aware, I cannot have the shadow of a claim. So much being said to remove all doubt or misapprehension, I trust the harmony of the evening will not be disturbed by the further discussion of a subject so likely to provoke unpleasant feeling."

Somers bowed in silence.

Everlyn added, "If these New-York gentlemen are successful, I must, of course, submit. I shall try to submit without a murmur,—provided the result be brought about fairly, and honorably, and justly."

"Allow, me also, an observation," said Astiville, "for, whatever Mr. Somers may say, I am more deeply interested in this matter than even you are. Your *estate*, indeed, may be threatened, but your veracity and faith, as a gentleman, are not impugned. Like you, I would find no fault with the success of our adversaries, if it could possibly be effected without fraud. With regard to this suit, I am situated differently from all others. In my mind there can be no room for doubt, nor nice balancings of evidence. I *know* the grounds and extent of my title. A jury may be bewildered by an artful combination of circumstances,—and no one is more laborious in research, more adroit in exhibition, than Mr. Somers:—they may be impelled to a verdict by skillful appeals to their passions, their prejudices, their narrow conceits—and Mr. Somers is an able rhetorician. If the jury decide erroneously, the community at large may also be deceived—yet it is impossible that *I* can be. There are two persons, who, I presume, have a better acquaintance with the merits of this case than is possessed by any body besides. I am one."

"And who is the other?" said Somers, fixing his eye upon him.

Astiville answered, without apparent emotion: "Are you ready to subpoena the person, as a witness, when I reveal his name? Promise me that, and I will tell you—no, I will tell you without a promise. The other person is yourself."

Somers compressed his lips tightly, and frowned. Then he spoke with an open and ingenuous look: "Whether summoned or not, I am willing to bear testimony. To the best of my knowledge and belief, the Compton title extends to the line which is claimed for it. On my honor, I affirm that if I were not satisfied of this, I would abandon the cause I have undertaken—abandon it immediately, and gladly."

"Now, let *me* be heard," said Astiville, "but first give me your admission of my competency. Do you not believe that I

am aware, in my inmost breast, of the true situation of the Corner?"

"I have reason to think it probable that you are," answered Somers, cautiously.

"Then, sir, I declare to you that I am not acquainted with any Corner on the *Upper Branch* of the Hardwater. You gentlemen of the Bar are trained to habits of distrust, yet you cannot suspect me, I think, of the incredible baseness of proffering a voluntary and useless falsehood. My assurance is given solemnly, and if you establish a corner, where you have been seeking it, you will act in direct contradiction to testimony, which, however inadmissible in a Court of Justice, cannot be denied a hearing, and an influence in the forum of Conscience."

Somers was in truth surprised, if not staggered, by this declaration. It could not overthrow his previous strong and maturely formed opinion; but it gave him perplexity, and he determined to probe the matter a little deeper. Too upright, however, to attempt to entrap an individual into a hurtful confession, he gave fair warning of his purpose, addressing himself as well to Everlyn, as to the other:

"Please to take notice, that it is not I who introduce this subject. If there is any unwillingness to continue to converse upon it, I am content to dismiss it once: if otherwise, I should like to put a simple question to Mr. Astiville. I wish to gain no advantage from the freedom of social intercourse:—to endeavor to do so would be not only indelicate in the highest degree, but unjust."

"What is it you desire to ask me?" said Astiville.

"I will put the query, since you demand it," replied Somers, "but remember that I am far from advising you to answer. Indeed, I think you would act most properly to refuse an answer."

"Mr. Somers, do tell us what it is you want to know, without further hesitation or excuses! If I possess the information, I will give it. Do not be afraid to talk with me. I am no child, be assured, to be inveigled into a snare, even if you should choose to lay one."

"And what is better," remarked Everlyn, "we pursue an open and honest course, and have no secrets which we fear to disclose."

Thus invited, the lawyer proceeded. "You have affirmed, Mr. Astiville, that you know of no Corner on the *Upper Branch*—I would inquire whether you know of any on the *Lower Branch*?"

"I am saved the trouble of responding to that interrogatory, sir, for it has already been answered in Court."

"The question asked in Court," said Somers, "was, where is the *headstone*?—and to that, I imagine, no satisfactory reply has yet been given."

Astiville showed signs of anger. "This is what I complain of in you, Mr. Somers. You rake up an old fable, unsupported by a shadow of real evidence, and by means of it, operate upon a jury. This is an artifice which would do credit to a pettifogger, but can hardly add to your reputation."

"I am not conscious of having practised any artifice," said Somers, coldly.

"And no tampering with witnesses, neither, I presume?" answered Mr. Astiville.

"No, sir," added the lawyer in the same tone. "For that was impossible, when the names of witnesses, and the facts they were to prove, were alike made a mystery. I leave it to Candor to decide which party is most liable to the charge of trickery, in relation to the suppositious stone attempted to be forced upon jury and counsel, under the cover of surprise?"

"It seems, then, Mr. Somers, that you defend your introduction of deceit into the case, solely on the ground of a prior effort to mislead, made by us. You suspected us of a device, useless and unnecessary, perhaps, but which yet cannot be pronounced very culpable, and hence inferred a right to persuade the jury to decide the matter by a test, which, if you had been in the panel, you would yourself have refused to acknowledge. This is carrying the *sex talio* to an extreme."

"I made no assertion," replied Somers, "which I did not myself believe."

"Everlyn here exclaimed, 'What! Is it your opinion that there is really a grave at the Corner?'"

"Assuredly it is."

"And may I ask the grounds of that opinion? For none, I think, were advanced in Court. How came the grave there?"

"For satisfaction, on this point," said Somers, "I must refer you to Mr. Astiville, and Mr. Astiville's conscience."

Astiville, at this, suddenly rose from his chair, saying, "This is not the first time that offensive insinuations have been thrown out by you. In the Court-room, I remember, you backed some of your most objectionable remarks by equivocal glances towards the place where I was sitting. Come, sir, deal your blows in the open light, so that I may know what to expect, and how to guard myself."

"I offer no attack upon you, sir, whether in darkness, or in light."

"Somers!" said Astiville, "This evasion can pass no longer. I demand, and will have, more explicitness. Do you presume to alledge any connection between me and the supposed concealment of the Corner-stone?"

"Since you inquire with so much vehemence," replied the lawyer, "I will acknowledge, I suppose such a connection exists."

"This is beyond endurance!" cried the other, now in a towering passion. "To cast so black an accusation upon me, before my very face! and this, too, in the teeth of my positive and direct assurance, that if there is a Corner on the Upper Branch, I know not where it is! In the progress of impertinence and folly, it is next to be asserted, perhaps, that I am responsible for the existence of the grave?"

Somers quietly answered: "As you are so deeply interested, sir, in the stone, in its capacity of corner-mark, I will not deny that you may be concerned in it as head-stone also."

Somers expected to see Astiville become furious at this, but that gentleman only curled his lip, and said,—

"Heaven preserve the man's wits!"

It is wonderful to see how a person, who can restrain himself so long as an adversary is boiling over, feels his passion foam out the moment the cauldron of the other's wrath commences to subside. Some philosopher—possibly, Abraham Tucker—explains the phenomenon in this wise,—Men, it is said, are benevolent warming-pans—their business is to keep each other supplied with the "essential caloric:" when one, through excess of liberality, bestows more than it can spare of its stock of coals

upon its fellow, the grateful recipient instinctively repays the loan, and with usury. Others refer to the laws of electricity. But whatever hypothesis we adopt, it is certain that the barrister lost himself—possession at the precise time he most needed it. He answered:—"Spare my health, whether of body, or mind, sir, the infliction of your good wishes. There are beings whose curses are less noxious than their blessings!"

Still Mr. Astiville's sneering composure continued unbroken.

Somers added, with more vehemence of manner: "Though your own conscience be a slight encumbrance, are you not somewhat troubled at the thought of *another*, who cannot regard the Hardwater Corner-stone with the same apathy?"

Now Astiville started like one stung.

Somers eagerly followed up the stroke. "Does not that less guilty tool endure the penalty of remorse, which should be yours?—Beware, beware, villainy will out; the Corner will be discovered; the grave will be opened; and the atrocity that gave it its occupant will be known. Tremble, for you have good cause. Since the day when the earth saw the first deed of slaughter committed, it has never ceased to denounce crime in a voice which may not be stifled!"

Astiville's countenance wore a peculiar expression, which seemed a compound of uneasy expectation, of anger, and of disdain, but he uttered no word.

The other went on. "Well may you have recourse to such strenuous exertions, in order to gain your cause. Delude Mr. Evelyn, if you can, into the belief that care for the security of his purchase, or the establishment of your own claims to the remainder of the tract, prompts these efforts to fix the line on the Lower Branch—I *know* you have a deeper stake at hazard. Lightly might you abandon all else, if you could but hide for ever that grave, and the deed that filled it!"

A strange smile flitted across Astiville's features, and he had opened his lips to speak, when his wife rose up, and walked across the floor, till she stood between him and Somers. Addressing the latter, the old lady, in a manner of much dignity said:—"Sir, I cannot tell whether you are extraordinarily ignorant, or extraordinarily wicked. I understand this whole matter

of the grave, as well as Mr. Astiville. The subject is one which cannot be dwelt upon without pain by him, or any member of his family, and a most ungentlemanly advantage have you taken of that shrinking of nature. Ungentlemanly?—I ought to say brutal. You are a young man, and his advanced years alone should have been sufficient to protect him. The position, too, that he occupies in society, one would have thought, might have lifted him out of the reach of imputations which the lowest pauper could not have suffered, without feeling himself aggrieved beyond atonement. Has the world come to this, that a suspicion, hastily assumed, and, in reality, without the faintest color of truth; yet a suspicion involving the darkest stain that human being can bear, may be recklessly cast upon one, whose reputation has hitherto appeared spotless in the eyes of the whole community; upon a gentleman, the inheritor of an estate sufficiently ample to remove him from all temptation to practice the vulgar arts of acquisition, and, more than all, the head of an honorable and ancient family? Blush for shame, sir, and at least have the decency hereafter to forbear whispering a slander so outrageous.”

Mrs. Astiville, when she had finished this address, turned away with the same erect, grave, and impressive carriage which had marked her throughout, and resumed her seat.

Before Somers had determined what he ought to say, Mr. Astiville spoke, “Yes, sir, I could give a plain recital that would cause your cheek to tingle by the reflections which it must excite. You would perceive how utterly groundless is the calumny to which your spite has given vent. That I do not think proper to make the explanation, you may attribute either to compassion or to the desire that your punishment may prove the more keen from delay. I will now content myself with advising Mr. Everlyn to have as little intercourse as possible with one whose recklessness and indelicacy are aggravated by an unscrupulous cunning, that renders qualities, otherwise contemptible, dangerous.”

“And I,” retorted Somers, justly incensed, “most earnestly advise Mr. Everlyn to be on his guard against one who has already over-reached and defrauded him, and who now hopes to lead him into mea-

sures, which, if successful, must be followed by bitter regrets. Mr. Everlyn, I beseech you to listen to me patiently. I have examined this question of title as thoroughly as my faculties give me power. This investigation convinces me that the claim of Newlove and his companions cannot be overthrown. Your confidence has been grossly abused, and, I think, illegally too. I undertake to say, that there is at least a probability that Mr. Astiville can be compelled to make restitution of the money which you have paid him. I will venture to affirm, also, though without consultation with my three clients, that they will be content to convey this tract to you for the bare sum which it has cost them.”

“This caps the climax of audacity!” exclaimed Astiville.

But the lawyer cut short his observations at the outset, with a look and tone which compelled him to silence. “I wish to hear *Mr. Everlyn's* answer, sir, not yours.” Then turning to the other gentleman, he added, “consider well, I beg you, all that I have declared and suggested. I speak from both heart and head. I think the one has not deceived me, and I know that the other breathes only the most sincere desires for your security and welfare. I have declared how slender is the title by which this fine old mansion is now held; and I have pointed out the way to make your right as firm and immoveable as the granite hill upon which it is built. Decide between Everstone lost and Everstone gained, between the counsels of a false friend and those of a true one, between Mr. Astiville and me.”

“I have decided,” said Mr. Everlyn, coldly, “I would not receive this estate nor tenfold its value upon terms which implied any distrust of Mr. Astiville. He informed me most honorably, before I made the purchase, that a controversy might arise, merely adding, that it was his clear belief, that the title he conveyed would prove good and sufficient. On this I was content to rely, and, if the foundation should in the issue fail under me, it will be my fault, not his. He even insisted, greatly to my reluctance, upon making a deduction in the actual payment, on account of the risk I assumed, from the amount fixed in the deed of conveyance.”

“That fact it was not worth while to

mention," observed the self-denying feoffor, "indeed you promised—"

"I know it," answered the other, "but my desire to see you vindicated would not allow me to remain silent."

"It was quite prudent in Mr. Astiville," said Somers, "to desire the concealment of that incident of the sale, as it might tend to support an action for the recovery of consideration given in an illegal contract."

Everlyn, with a look expressive of hearty scorn for the insinuation, resumed the interrupted thread of his remarks.

"Yes, Mr. Somers, I place the most undoubting confidence in Mr. Astiville, and I cannot be tempted to separate my interests from his. Already, sir, I have disclaimed any pretensions to your services or special regard, but it does seem to me, that I might have been spared witnessing, in my own house, so violent an assault upon the reputation of that valued friend, as has been made this evening. An affront to him, especially when offered whilst he is under the shelter of this roof, I cannot but regard as an affront to myself. I thank you, however, for the kind sentiments you have expressed towards me personally, and only request, that by accompanying them with such unmerited and, I must add, inexcusable reflections upon Mr. Astiville, you reduce me to the necessity of appearing less grateful than I desire to be thought."

Somers' only reply was a measured inclination of the head. After a brief interval he observed, "If it be convenient, Mr. Everlyn, I should like to retire."

Everlyn immediately rang the bell for a servant, who soon appeared at the door.

Then Somers, rising, walked deliberately to the side of the room, where Mrs. Astiville was sitting. He said to her:—

"Madam, I entreat you to pardon the degree of rudeness into which I have been this evening betrayed. Possibly I ought not to have made the offensive observations at all; certainly it was my duty not to have suffered them to escape my lips in your presence. The ears of a wife ought never to be wounded by reproaches against her husband. Perhaps you will deem it some extenuation of my fault, that I did not provoke the discussion which led to it. This apology, madam, I feel to be a debt not only to you, but to my own self-respect. Madam, I wish you good night."

Next he took leave of Sidney, afterwards of Mr. Everlyn, and just before turning to leave the room, bowed distantly to Mr. Astiville.

In the morning, Somers rose early. Descending from his chamber as soon as he heard the servants stirring below, he walked out to the stable. He placed a piece of silver in the hand of the black man whom he found there, and requested him to saddle his horse, as he wished to ride immediately. The rain had all passed, and the fog which the morning's heat had drawn from the moist earth, shrank away as the sun gained strength, and settled in low, dense masses along the rivulets which threaded the narrow seams between the hills.

Somers returned to the house. The first member of the family whom he met was Sidney. She walked with him to the porch, and on the way listened, in silence, as he mentioned that he would not be able to remain more than a few moments longer. After the incidents of the preceding evening, she felt that she could not urge him to change this purpose. Through the latticed window at the end of the porch, Somers saw the ostler just issuing from the stable with his horse. Then, by a strong effort, overcoming his repugnance to speak of an unpleasant subject, he availed himself of the brief opportunity afforded him, to inquire of the young lady whether he had incurred her disapprobation, as well as her father's.

"You do not answer," he added. "Must I infer that you can never pardon me for becoming the advocate of the opponents of your father's title? You cannot imagine what pain my position of apparent hostility gives me. If you could but witness the struggle which is every hour going on in my breast,—if you could but see how my will, in stubborn reluctance to become the instrument of harm to the inhabitants of Everstone, makes strenuous though unavailing battle with an imperious sense of duty,—if all this were but known to you, and you could perceive how the outside calm of professional routine covers keen heart-burnings and regrets, you would not throw upon me the additional burden of your displeasure."

"I could wish it otherwise," was her reply, "but I do not blame you for this—"

"You do, then, blame me for some—"

thing in my conduct;—is it because, in a moment of great provocation, I have spoken harshly to Mr. Astiville? Do you join with him against me?"

"My father's opinions, Mr. Somers, must be my opinions; his friends, my friends. Yet the door is not closed, only acknowledge,—what, I know, you have the magnanimity enough to do,—the injustice of your hasty reflections upon Mr. Astiville, and it will be easy to effect a general good understanding."

"Never!"—replied the lawyer, "all that it was possible for me to say, in the way of apology, was said last night. I can strive earnestly, and, throughout the early part of that conversation, did strive earnestly, to conceal my sentiments of dislike; but I will not be guilty of the meanness of retracting a real opinion, once uttered, nor of the hypocrisy of pretending a friendship which I do not feel. Miss Everlyn—Sidney, trust me, the day will come when both you and your father will repent of this confidence in Astiville. I know that man sufficiently well, to be satisfied that he is capable of committing any villainy."

"Indeed, sir," said Sidney, "I must not listen to language such as this."

Before the lover had time to reply, Mr. Everlyn appeared upon the porch. Somers advanced towards him immediately, signified his purpose of riding, and, resisting the polite solicitation to remain to breakfast, took leave of both father and daughter.

The lawyer, as we have seen, entered Everstone uneasy and apprehensive; he withdrew in thorough vexation. Then, it was over-scrupulousness that inflicted pain; now, he had legitimate cause for self-reproach. Connecting the vague rumors he had heard, with the wild declarations, and still wilder manner of the man Cain, and with Astiville's own occasional demeanor, he had been led to believe in the perpetration of some foul deed near the Corner. Many incidents of the preceding evening, especially Mrs. Astiville's solemn rebuke, went to shake this opinion.

Whether it were true or not that John Astiville was implicated in any dark and criminal transaction, Somers might well feel dissatisfied. If his suspicions were ill-founded, he stood in the mortifying position of an abashed and silenced accuser.

If Astiville were really guilty, he was now put on his guard.

As Somers rode along—his mind leaping alternately from one to the other horn of this agreeable dilemma—he espied before him an angular negro figure, which seemed to make itself recognized as one that was not then beheld for the first time. A little nearer approach, and *Naomi* was plainly manifest. She was stopping by the roadside to pluck a few scattered twigs of sumach, the gleanings of a harvest reaped by others.

The low-spirited lawyer was enlivened, for he saw a possibility of extracting from her a resolution of his perplexity. After the age-stricken, but agile dame had been properly saluted, he began his assault.

"Aunt Naomi, you must really give me more satisfaction than you did before. Who is buried in that grave? Is any human being at all buried there?—Perhaps you have been trifling with me, and it is only the grave of a dog, or something of that sort."

"He was *treated* like a dog," said Naomi, bitterly. "But he was a man for all that."

"What was his name?"

The negress shook her head, and refused to answer.

"He met a violent death, it seems?"

"You may say that, marster, without fear of contradiction."

"Who killed him?"

"I won't talk no more about it," said Naomi. "I don't suppose you want to bring me into trouble, sir,—"

Somers interrupted her, with earnest protestations that she might rely, confidently, on his honor and discretion.

"I believe you, marster, as if you were talkin' in the pulpit. But bein' that you are sot on larnin' everything, just look for Josh Evans."

"You have mentioned this name before, but the man's not to be found."

"It's a great pity, then, for I'm sure you'd put great store by Josh, if you could only lay hands on him, and persuade him to open his mouth lively. A big heap it is that Josh knows—that's certain."

"He is acquainted with everything, is he?"

"He should be," replied the woman, "for, wasn't he ten years overseer at

Greywood. Look here, marster Somers—don't tell anybody I put you up to this:—but if you are so keen to get sight of that stone, may be Josh Evans can show it to you. For my part, I never seed it, and don't want to."

"Then, is there no hope, but in discovering this man?"

"There aint no other that I sees, sir; all your 'pendence must be on Josh. These children about here don't know nothin'. They are willin' enough to talk—Heaven bless 'em—but you might as well stick out your ear to the wind, and expect to ketch wiseness——"

"I will be on the look out for this Evans."

"You'll do right, marster—but, stop—there's another thing."

Naomi, having first cast her eyes around her uneasily, continued—"I reckon you had better find Josh as quick as you can. He's right old, and though he's tough as leather, might die off before you'd think. And then—and then—I judge he'll be apt to talk more free if John As-

tiville don't get a chance to set him his lesson."

"I comprehend," said Somers. "And, by the way, aunty, could not you manage in a quiet manner, to find out from somebody the precise place where he is now staying?—Could not you remember the name, and tell me so that I may commence my search in the right quarter?"

She promised, and they thereupon separated. The moment after, however, Naomi called him back:—

"Hark'ye, marster Somers, don't, for gracious sake let on about my having sount you. It's likely I'm a fool as it is, to poke my old fingers nigh the fire. Besides, its mighty oncorrect, in a ginerall way, to take sides agin a family I once belonged to:—but I don't care the turning of a Johnny-cake for them Astivilles. They always was a hateful gineration, from the fust!—I don't want 'em to find out, though, what I've been a-doin'. I'm old, and 'fieted, and did hope to live the rest of my days in peace and quietness. But there's somebody comin'—ride on, sir."

CHAPTER VI.

A PRETTY girl was tripping up the steps that led to Mr. Munny's dry-good store, when she chanced to drop a small package. It contained no golden ear-rings, nor priceless gems—nothing, in truth, of higher value than a pair of kid slippers. Two or three men, who were lounging at the door of the neighboring bar-room, observing the fall of the bundle, sprang forth to recover and restore it. Another person, a young man, with a round, ruddy countenance, also noticed the accident, and, uttering an indescribable whoop, leaped in between the two foremost competitors, and just as they were stooping to grasp the treasure, thrust them both aside. Seizing the bundle himself, he placed it in the hands of the young lady.

As he returned, one of those who had been so unceremoniously supplanted, came up to him fiercely, and said, "Look here,

stranger! suppose we take that tussle over again?"

"By no means—I am very well satisfied as it is," answered the other, with deliberate Northern intonation.

"The dickens you are? But I am not. Come, boy, there's no backing out from the scrape now!"

"I've got a cousin to hum," said the defendant, "who, I know, could thrash you, like all Boston. It is Sam Striker I mean,—the fellow that can hold a two-year old bull by the horns."

"Pshaw! what do I care for that?" exclaimed the native, "Your cousin is not *you*, I reckon, so off with your coat, and take it!"

The individual thus urged felt a strong inclination to cry to Mr. Munny to interpose; but, casting his eye around, he per-

ceived the mistress of the bundle standing on the threshold of the shop-door, in a position to observe all that was transacting without. The consciousness that beauty is looking on, is excellent cordial for a fainting heart. So the young man, without further hesitation, knocked down his assailant. Several more at once started to advance, but others restrained them, with the shout, "Fair play! one at a time!"

As the unsuccessful combatant rose, his antagonist said, in a sympathizing manner,—"I hope you are not hurt. It was all done in good nature. So, shake hands, and I'll treat the company."

The man was surly at first, but could not resist that frank offer to treat. The Northerner, for his part, escaped from the bar-room as quickly as possible, very judiciously considering that a second scuffle might have a worse termination. When he was again in the open air, his joyful glance recognized, descending from the steps of the store, that fairest of maidens, the queen, whose smiles had both provoked and rewarded the recent tourney. By her side was a person who may have been her father, though, in the New-Yorker's estimation, he might better have passed for a handful of wilted weeds, so wrinkled and dried-up a creature was he.

But who was the New-Yorker himself? Absalom Handsucker by name:—by office, manager to Mr. Newlove. On the present occasion, remembering some unperformed duty, he forced himself to withdraw from the scene, though his ample bosom was heaving, and every vein tingled with a new-born passion.

"Let us now spare a word to his employer, and his employer's household. Sylvester Newlove had been thirty years a merchant. During that period he had failed six times. Many were puzzled to discern the reason of this want of success, for no one, who knew him, could suspect that he, in any case, resorted to the fashionable device of voluntary and fraudulent bankruptcy. He was an excellent accountant, an economist, methodical, not prone to indulge in daring ventures, and, withal, diligent and devoted to his business. Yet there must have been some important quality lacking.

Emma, his only child, on coming into possession of a considerable fortune, be-

queathed to her by a maternal relative, discharged her father's debts, and, when afterwards he manifested a desire to change his occupation, advanced funds for the purchase of the tract of land which had met his fancy. Newlove engaged in agriculture with all the ardor of enthusiasm. Yet a rural domain, wherever situated, is usually found more than amply stocked with thorns. The first trouble was to procure laborers. Some white men, hired in the vicinity, left very soon, in high dudgeon at certain precepts (relating principally to the management of oxen) which the overseer undertook to enjoin. As the last one turned his back—a slim, narrow-shouldered youth, with a strong propensity to tobacco, and an equally strong aversion to muscular effort;—Absalom Handsucker is said to have cried out in a pitiful voice,—

"You off, too!—*But what's to become of the ploughing?*"

"Can't say," was the reply. "All I care to know at present is, that there are more hoe-cakes baked in the county than come out of Newlove's meal-tub."

The overseer turned the oxen into the pasture, and went himself to the house to report progress. Newlove was distressed: then his countenance brightened, and he inquired whether it was not possible to procure a steam-plough, and so dispense altogether with animal labor. But the overseer's scornful negative crushed this project at once. After divers consultations, it was concluded to resort to black help. It not being the usual season for hiring negroes, extensive search procured one man, and one only, yet Absalom, now able to style himself overseer, *de facto*, as well as *de jure*, was no less proud of a single subject, than the farmer of Juan Fernandez. That Priam, the new hand, was quite advanced in years, could be no great annoyance to Absalom, since the foreman would never be expected to work harder than the subordinate. Comfort, therefore, and a due regard for the dignity of station, coincided very happily.

Priam, whose age took less from his strength and endurance, than it added to his shrewdness, was perfectly content with the basis on which matters were arranged, and, possibly, it was a sense of gratitude that prompted him to be prodigal of advice, in proportion that he was spared from less

easy duty. If a multitude of counsellors ensures success in husbandry, that farm was a model. In truth, little doubt can be entertained that if Aristotle or Locke had witnessed its internal economy, they would have derived valuable hints for the organization of the government of a State. Mr. Newlove, of course, suggested his ideas in the first place; the manager came next, to ratify, or reject; and after the measure had passed this ordeal, it had further to endure the jealous censorship of old Priam. This constitution had, what will appear to unphilosophic minds, a deficiency of active vigor;—still some fallow-land was, that autumn, prepared for wheat. The morning came for putting in the seed. Priam was in readiness with his harrow and team; the bags of grain were disposed at proper intervals, and young Absalom, with his apron around his neck, stalked majestically forth.

Just as the seedsman had made his preliminary cast, Mr. Newlove bustled into the field. He brought in his hand a small linen bag. Absalom, as he received and opened it, said, with surprise: "What's this, sir?—some kind of grass seed?"

Newlove explained, that having visited the harvest-field of a neighbor that summer, where the wheat-straw was short and difficult to bind, he had noticed that the rakers occasionally used mullein-stalks for bands. Generalizing from this fact, he had concluded that it would be proper not to depend upon chance for a supply of a material capable of being put to such an important use.

Absalom and Priam were alike astounded. The overseer, as soon as he recovered speech, asserted that never before, "in his *born* days," (a Pythagorean expression,) had he heard of a resort to so wild an expedient.

"If the experiment," pleaded Newlove, "has never been tried, we ought not, therefore, to condemn it. The great charm of a country life is that it emancipates one from the iron rule of custom. What vast consequences may result from this humble experiment! How cheap the fabric which we would convert to use! Becoming truly productive laborers, we will create out of nothing, as it were, a substantial addition to the wealth of the country. Think, Mr. Handsucker, how glorious it will be to have

our names handed down to remote posterity as the originators of a new practice in Agriculture. To share the fame of a Columella, a Tull, and a Coke. What a reward, this, for one short step in the advance of our age!"

"Well, I must say," returned Absalom, "that if this field's going to bring such trifling wheat that we must have mulleins to tie the sheaves with, we may as well save the seed, while we have it, in bags. What precious nice fun it will be, to cradle mullein-stalks all day!"

The venerable negro had stood silent, leaning on the staff of his whip. Newlove, loath to abandon his scheme, instituted an appeal from the white critic to the sable one.

"Do you think, Priam, that these mulleins will really *interfere* with the cradling, next harvest?"

"No, marster;—they won't."

"How?" exclaimed Absalom, "not interfere?—How do you make that out?"

Sylvester Newlove, with a countenance expressing the most pleasurable anticipation, also awaited the old man's reply.

"It isn't the natur' of mulleins," said Priam, "to shoot up to stalk the first summer—especially where the land ain't rich. So, if this seed is sown, we'll have to wait patiently till year arter next—*then*, if the season's good, I 'spose a crap may be looked for, such as aint often seen."

The negro, too decorous to laugh, vented his mirth in a subdued chuckle. There was no room for more discussion. Newlove took up his bag of mullein seed in a disconsolate manner, and was about going to the house, when he saw a horseman approaching. The stranger was soon within speaking distance.

"How do you do, sir?" he said to Newlove, "Just at seeding I perceive. Excellent time!—and grounds in fine order. You sow by *stakes* it seems—for my part, I prefer laying off the ground in beds. Perhaps, too, it would be advisable to substitute the basket for the apron. Still, these are small matters; you go on the right general system, I dare say. It gives me great pleasure, indeed, to find gentlemen settling here who are disposed to lay out capital on the land. It is astonishing how blind many of our old inhabitants are. You mean to sow clover, doubtless, and plaster of Paris."

"Yes, sir," answered Newlove, invol-

untarily glancing at the bag of mullein-seed, "I design adopting the latest improvements in agriculture. I am convinced that to insure success, science and practice must go hand in hand."

"A fine—a noble observation—" rejoined the gentleman on horseback. "Allow me to shake hands with you, sir. It is Mr. Newlove, I believe, whom I address. My own name is Safety—Alonzo Safety, of this county."

"Accompany me to the dwelling, Mr. Safety."

"I thank you—not this morning. Nothing gives me so much gratification as to see an enlightened agriculturist in the scene of his active operations. Many here are rather jealous of you Northern gentlemen, but as for me, I avow myself a hearty sympathizer."

No stenographer could have reported Mr. Safety's rapid utterance. He explained in the course of fifteen minutes full half-a-dozen different routines of cropping, and gave a discriminating estimate of each. At the close, looking towards Absalom, he observed "Is that hearty-looking young man your son, Mr. Newlove?"

"No, sir;—but my manager. Let me make you acquainted with him. Mr. Absalom Handsucker, Mr. Safety."

"How are you, Mr. Handsucker? But why do I ask, when I see you with your harness on, engaged in the glorious work? Oh, 'tis delightful to behold youth active, industrious, indefatigable; not ashamed of that physical exertion that does honor to man!"

Mr. Alonzo Safety took leave, with an invitation to both proprietor and overseer to visit him at his house.

"That man," remarked Newlove, "is a splendid farmer, I'll answer for it!"

"At any rate, he talks as if he *knew* how to be," said Absalom.

Priam, however, dropped a hint to the effect that the farm of the retiring horseman was by no means distinguished either for neatness and good management, or for the abundance of its products. "Some people have the gift of talk, and some of doing;—and *some*" he added, *sotto voce*, "of neither one nor t'other."

Absalom was in ecstasies at the recollection of the late call. The reason may be easily given. Alonzo Safety was the very little, lean old man who was es-

corting the lady of the lost bundle. He was now invited to visit him, and to visit her. After a few days of solicitous preparation, he determined to make the first move and, as he hoped, the decisive one. He would go in style. A buggy would have been his choice as a conveyance, but the neighborhood contained not such a vehicle. There was no better resource than to go on horseback. He was indeed neither a very skillful, nor elegant rider, but he conceived that a pair of spurs would make up for all deficiencies. Proceeding to the store some time previous (on business for Mr. Newlove, of course) he had procured a brilliant brass-mounted pair whose long rowels seemed capable of communicating mettle to the dullest steed. In compliment to those whom he proposed visiting, he thought proper to put on leggings, that well-known portion of Southern apparel. He had no cloth, but a couple of yards of gay check bought as a present for the black house-maid, would answer the purpose well enough, and, since the season was dry, the calico could not receive such injury as to prevent it from being afterwards applied to its original destination.

About an hour before sunset, the chores being disposed of, and Jack, the youngest of the pair of horses, saddled and bridled, Absalom started forth. The road went by Munny's store, and as the cavalier pranced through the village, his steed manifested a slight disposition to be restive. Absalom forgetting spurs and everything else in his anxiety not to fall in so public a place, clapped his heels close to Jack's flanks. The bound which the horse then made surpassed all the marvels on the programme of a circus or in the Duke of Newcastle's diary. Every hoof drawn under him, he shot up into the air like a balloon or a rocket. On his descent he crouched till his belly almost touched the earth; next, he whirled around and around with the velocity of grimalkin in a fit. Absalom, conscious that although clinging to Jack with every limb, he sat none too securely, dared not to withdraw his heels from their hold. What would have been the issue if the two had been left to themselves, it is difficult to conjecture. The horse could not run, for the severe bit and the heavy hand on the rein effectually curbed him; the rider could not well be thrown so long as his legs

encompassed the animal like a hoop; the spurs themselves, whose rowels stuck fast between Jack's ribs, contributed to make a centaur of the tenaciously united couple.

Sam Munny's stout negro blacksmith, observing a horse which he had supposed perfectly tractable, cutting such frantic capers, issued from the forge and seized the left branch of the bridle.

"That's it, my good chap!" cried Absalom, "that's it;—hold him tight till I get down."

The instant his feet touched solid earth, he stooped, unbuckled the spurs, and handed them to the blacksmith—"Hang the things—here, Job, keep them till I can find somebody else fool enough to wear 'em."

Again he was mounted, and without other mishap arrived at Mr. Safety's. The dwelling was a double log-cabin with no very tidy surroundings, yet there were such indications of comfort as an orchard, a cider-press, and a spacious wood-pile. He was introduced to Miss Arabella. Ere he could persuade his halting tongue to address her in the impassioned strain which his heart dictated, the mother entered. Mrs. Safety was a fat, comely matron, with a double chin and a lisp, which did not prevent her from engrossing by far the larger portion of the conversation. She informed Mr. Handsucker that she came of an excellent family indeed, and was a cousin—only four or five degrees removed—of the Astivilles. A great many wealthy, and, according to common estimation, highly eligible suitors, had made application for her hand, but she had preferred Mr. Safety to them all, on account of his distinguished name and birth. To be sure, he was much older than she, there being a difference of some twenty years in their ages, but what was such a consideration to purity of blood? and the Safetys, though not a large family, were known to be one of the most ancient in the State.

Absalom, as he listened, understood the reason of Mr. Safety's talkativeness when abroad—his wife allowed him no opportunity to use his tongue at home. That hardly treated gentleman was cunning enough to drag the guest out of doors, and as it was not yet dusk, to walk about the farm with him while supper was preparing. Then, within the house, a dialogue, and an analysis of character, took place.

"Really a very pretty young man," observed Mrs. Safety. "He looked at you a good deal, Arabella, and seems quite fascinated. He certainly is not your equal, but it would be far better to take up with a Yankee than with a low-born Southerner. The Yankees, in the matter of birth, are all alike, so that a girl who means to get a husband from among them, may as well take one as another."

"But you know ma, pa says it is all nonsense to think so much of family."

"A Safety can afford to speak so," returned the mother complacently, "but there are few others who may presume to disparage these distinctions."

"Mr. Handsucker is a working sort of a person, is he not, ma?"

"Oh, the Yankees all work, child. It comes as natural to them as talking does to a Southerner."

"But how odd he looks with those check handkerchiefs on his legs, instead of wrappers—in this dry weather, too!"

Mrs. Safety was at no loss for an answer. It was uttered, by the way, in a pretty sharp key. How do you know that is not the fashion? We are behind the world here, and I shouldn't be at all surprised if at this very moment the leaders of the *ton* in New York, are riding down Broadway with just such stylish leggings on as Mr. Handsucker wears."

"Still, he seems to be a person who has to work for his living—he can't be well off."

"Hush, Arabella, you know nothing about it. I tell you that *all* the Yankees are *rich*."

The walkers returned; after a plentiful meal which would have given Absalom unqualified satisfaction, if the table had only contained a somewhat larger proportion of those sweet arguments on which a Northern palate is accustomed to luxuriate, several hours were occupied in pleasant chat. About ten o'clock Mr. Safety showed symptoms of drowsiness. He nodded, and, finally, notwithstanding his wife's faithful nudgings, snored outright.

"Come, Alonzo," said Mrs. Safety, "The exertions of the day have proved too great for your constitution. Perhaps it would be as well to retire. Mr. Handsucker will excuse you."

"Certainly," said Absalom very promptly, "don't let my being here keep you up,

nor Mrs. Safety either. I am sure Miss Arabella is company plenty for anybody."

Mr. Safety withdrew from the apartment, and as the door closed behind him, his lady remarked affectionately:—"Poor, dear Alonzo exhausts himself in this way frequently. He is fond of rural cares, and thinks that nobody can manage the plantation so successfully as himself; but there he is mistaken. Much as he loves the pursuit, he is far from having the qualifications to conduct it properly. For one thing, he lacks the requisite powers of physical endurance, as you may see from his fatigue this evening."

"If that's the case," said Absalom, "he will hardly find Texas to suit him, I'm thinking. Yet he says he means to get there in the Spring."

"Oh, rejoined the helpmate, "Mr. Safety is not going to Texas; he wants the energy for any move like that. He has been talking of going to the West for years,—yes, Mr. Handsucker, he has been projecting this way ever since we've been married, and will continue to project as long as he lives. I frequently tell Arabella she must profit by my sad experience, and choose herself a husband who has some enterprise and decision."

"Then she ought to look 'mongst us Northerners," remarked Absalom. "It would astonish you to go up to York, and see how all the folks, big and little, do rush a-head!"

"I assure you, sir," said Mrs. Safety, "that I am a great admirer of that feature of the Yankee character—"

"But we are not Yankees," interrupted Absalom. "They are the blue-nosed chaps who scramble among the rocks in Massachusetts and Connecticut. We are Yorkers of the Holland Dutch breed, which is much the best stock."

"I dare say" resumed the lady, "but as I was going to observe, I think it highly probable that our Southern race, fine as it is, might be greatly improved by having some of the best Northern qualities engrafted on it."

"Just as your old-field cattle here would be bettered by a cross with our Durhams or Devons."

"I am not much acquainted with cows and calves, and other cattle," said Mrs. Safety, affectedly. "Alonzo, indeed, at-

tends to such things. His taste, in many respects, is very singular, and he takes delight, sometimes, to torment me, by contrasting it with mine. For instance:—Mr. Safety, as everybody knows, has good blood in his veins ['not much of it, however,' thought Absalom,] as the country can furnish; yet every family has its unfortunate connections—so it is in Mr. Safety's case. The Evanses here are quite a low set, and most of them very poor, besides. Well, Mr. Safety's aunt married an Evans,—*Joshua Evans*,—who was once overseer for the present Mr. Asti-ville's father. This man has been off at the West this many a day—some thirty years, I think. It is evident the whole affair might sink into oblivion, yet so singularly queer is Mr. Safety, that he will vex me, by calling these poor starving Evanses,—who are no earthly kin to him, as his aunt died without leaving children,—his cousins. Just think of it, Mr. Handsucker, an Evans a cousin of a Safety!"

"We are not so particular off our way," replied Absalom, "I have a cousin named Evans—pretty fine sort of a man too—has lots of apple orchards—rides about among the quality, I can tell you."

"Very probable," said Mrs. Safety. "Society is constituted very differently with you. All Northerners are equally worthy and respectable; the whole community constitutes, as it were, a body of nobility. Here it is otherwise: we have, &c. &c."

But it would exhaust any quantity of patience to follow Mrs. Safety, as she continued to pour forth her profound remarks with unabated fluency. Absalom endured the flood indeed; but he had an object. He was waiting till the "old woman" should go to bed, and leave him alone with Arabella, when they two would have the fun of keeping awake all night long, by the Dutch method of looking each other straight in the eye! Eleven o'clock had passed, and Absalom, who sat resolutely upright in his chair, began to suspect that the fat woman before him never felt somnolence or fatigue. She, on her part, could not conjecture what possessed the visiter that he stayed so late. Not anticipating that he would choose to remain through the night, she had had no chamber prepared, so she found herself under a kind of housewifely necessity to

await his departure, before offering to close doors and windows. At last midnight arrived. Hope kept Absalom alert; but poor Arabella's eyelids, which had no such stimulus, grew heavy, and the mother, though she spoke on, could not help marking the close of every sentence with an emphatic nod.

"I never heard tell of an old madam so provoking," thought the lover.

"Why don't the man go," sighed the mistress of the house.

"Will you stay all night, sir?" said Mrs. Safety, compelled, in desperation, to incur the risk of his acceptance. "I will have a room put in readiness for you very shortly."

"Don't be at any such trouble, ma'am—I must be off after a little. Yet I hope you will not stay up on my account, Mrs. Safety. Arabella's all I want; so make your mind easy, and leave us to ourselves."

Mrs. Safety stared.

Absalom, observing her perplexity, explained: "It's the fashion to the North, when a young man's visiting a young woman, for the rest of the family to go to bed early, and leave them to talk without interruption, as long as they have a mind."

"Is it indeed?—that's very curious. But it is not the fashion here, Mr. Handsucker."

"Yet you admit, ma'am, that some of our customs are the best, and I leave it to Arabella if this isn't one of them."

"She has nothing to say about it," replied Mrs. Safety, quickly. "And it is time, too, for her to retire. Arabella, you may bid Mr. Handsucker good evening."

When the obedient daughter had left the room, which she darkened, by depriving it not only of her presence, but of one of the candles, Mrs. Safety was silent for a few seconds, and then renewed the expression of her hope that the gentleman would be content to accept lodging until morning.

"Thank you," returned Absalom, with

undisguised chagrin, "I can *sleep* comfortable enough to hum:—I came here to see a handsome girl."

As he stumbled across the threshold in his departure, muttering keen observations about "some folks being so scary on account of their daughters," the matron holding up the candle the while to enable him to find his horse, a shout was heard, sounding from the direction of the gate—or, to speak more accurately, "set of bars."

"Hark!—what's that?" exclaimed Mrs. Safety.

"Halloo!—Halloo! Does Alonzo Safety live here?"

"Yes," answered Absalom. "You've hit the right nail this time, carpenter, though it be in the dark. What's wanting?"

There was no immediate response; but presently a man walked up to the door. By the aid of Mrs. Safety's candle, it could be distinguished that he was a short, compact person, grey-headed, and with a nervous, deep-lined countenance.

"How do you do, mum?" said he, entering the house without ceremony. "This is Mrs. Safety, I take it. Alonzo wrote word he had got a young wife since I left Redland. You have heard of me, I am sure. I am *Joshua Evans*."

"Gracious!" ejaculated Mrs. Safety, with a side-glance to Absalom, that seemed to say: "You never talk of Satan, but he's at your elbow."

"Where's Alonzo?" inquired the stranger, impatiently. "This young fellow has no likeness to him, I'm sure."

Mr. Safety's slumbers were broken, a supper was prepared for his aunt's widower, and a reluctant house-maid, under her mistress' not very good-humored supervision, bustled about to find clean sheets and pillow-cases for the spare bed.

The unfortunate Absalom, having lost the better portion of a night's rest, mounted Jack, and took his homeward, solitary way.

To be Continued.

READ'S POEMS, OR A CAUTION TO THE CRITICS.

MR. EDITOR:—I address you, with some hesitation, on a topic in which all the young poets of the country are deeply interested. They are too proud and sensitive a tribe, Mr. Editor, to undertake their own defence. That defence would be their shame. It would be as though the master of the puppet-show, excited by the jeers of the crowd, should put his head out from behind the curtain, and engage in an angry defence of his puppets. The crowd would receive him with a shout of merry derision, and bestow some pleasant phrase upon him, such as "go it, Read," "go it, Dana," "hang the critics." With such, and other more solid testimonials, the merry world would pelt the luckless rhymster who should undertake his own defence.

There appeared, not long ago, in your journal, a very caustic criticism of the poems of Thomas Buchanan Read. The review had points of wit in it, and was what is vulgarly called a "readable review." I dare say you thought it very readable yourself, for though I am quite sure you never read a line of Mr. Read's poems, you were certainly amused with this very Jesuitical and severe review of them. I, myself, read that review, and conceived from it a very poor opinion of Mr. Read's powers as a poet. A friend of Mr. Read, however, sent me a copy of his rhymes, and, on opening the volume, I was surprised, not to say shocked, to find that a serious injury had been done to that very excellent poet by his ill-natured reviewer. Please you now, send to the publishers for a copy of the work, and sit down, quietly, on a Saturday evening, and read the poems aloud to your family, and when you have done so, peruse what I have here written.

There is no higher literary art than criticism, and none more liable to abuse. It may be so used as to enlighten and delight; it may be so abused as to mislead and offend.

A reviewer, free from prejudice and possessing the power of literary appreciation, confers, by his just severity or his judicious praise, a blessing on the age—on its authors and its readers. On the other hand, a supercilious, rancorous, overbearing spirit, however brilliant—a fulsome adulation, however elegantly expressed—are but false beacons to the student, rocks and quicksands to the hapless aspirant. We are disgusted when personal animosity, or a reckless selfishness and vanity, disguise themselves under an assumed zeal for good taste, sacrificing justice for the display of a flashing wit. But when, with a deep moral indignation, a reviewer rises up to scourge pretence and ignorance from the desecrated temples, he has a mission that cannot be gainsayed; only he must eschew all extravagant expression. Accurately and dispassionately to estimate his author, he must divest himself of preconceptions regarding any particular school, age, or position, and guard especially against an ill-bred *disrespect*.

As writers multiply, criticism becomes more and more necessary; and it appears more difficult to discriminate as the need of discrimination is greater.

That the copse luxuriate not into a wilderness, many a bough must be lopped away, many a young tree uprooted, but with a judgment as clear to spare as to condemn.

Satire is apt to grow by what it feeds on, and too often the critical censor, beginning in truth and sincerity, becomes excited by success, and, heated in the chase, forgets all but the mad desire to be in at the death.

The critic assumes a nice and intricate responsibility. There is the duty to the

*Lays and Ballads. By Thomas Buchanan Read Philadelphia: George S. Appleton. New York: D. Appleton & Co.

reader, and the duty to the author. The first requires the annihilation of all that is worthless; the second, that no blight touch the merest sapling giving promise of a noble aftergrowth. He must be humble, withal. If, on opening a book, his eyes chance to meet some frivolous idea, some weak or ridiculous epithet, dull passage or ignorant blunder, he may not, like the mere reader for amusement, throw aside the volume and seek one more attractive; his duty is to look farther, to explore page after page, seeking, if yet beneath the rubbish, some gem of price may not be found.

To the sensitive spirit of the poet a peculiar tenderness is due. It is in poetry as in morals. We frequently set up a standard on the ground of individual experiences and conceptions, and whosoever reaches not that, or is not excellent after a particular pattern of our own, holds a low rank in our estimation. We have known persons of an impulsive and ardent temperament absolutely incapable of seeing any thing good in those of a cool, prudential, or unsocial character, and *vice versa*. Each man thinks his own position most important, and is surprised, or compassionates, if it be not so acknowledged by another. Like the poor French dancing master, who exclaimed to the wealthy burgher, boasting of his happier estate, "Ah, my God, sir! but you do not DANCE!"

A finely sensitive taste for metrical harmonies, shrinks from the harsh, rough line, though it convey truth and beauty; while the idealist or the sentimentalist seizes the thought and makes it his own, regardless of the measure that conveyed it. We must consider that if one fact is great on this ground, another takes precedence on that. One is mirthful, another is sad. One imaginative, another philosophical. If one delight us with the harmonies of a flowing versification, another utters "thoughts that breathe, and words that burn."

Pope could never have conceived that noble hymeneal song *The Epithalamion* of Spencer; so neither could Spencer have elaborated the elegant frivolity, the pompous drollery of that delicious little epic, *The Rape of the Lock*. If Dryden, over a "field of glory," drove his "coursers of

etherial race," the contemplative spirit of Cowper delighted in

"Rural walks
Through lanes of grassy growth."

We are equally in the region of poetry with Wordsworth in his crescent shaped "Boat," "soaring away among the stars," or with Goldsmith taking our

"solitary rounds
Amidst the tangling walks and ruined grounds"

of AUBURN;—with Byron, in the storm upon Lake Lemana; or with Burns, turning up the daisy with his plough.

Whether the soul be roused by the trumpet, or lulled by the shepherd's pipe, it matters not, so it be poetry; and these things only are necessary; to appreciate the spirit of the time, and administer to its necessities, holding in the heart the law of love; and being mainly true to one's own nobler impulses. Art may guide, but Nature must impel; and as the flight of a bird depends not wholly on its pinions, but is sustained by an inwardly pervading force, so the poet, soaring on the wings of fancy and imagination, must be sustained by truth and passion from within.

Mr. Read's muse is unpractised; his verses are not equally finished. We cannot apply to him the remark of Keats, concerning Miss ——'s music, that "she played without one sensation but the fact of the ivory at her fingers," but rather, that the soul of music is at his finger's ends, only the keys will not always respond. He is always in earnest, and filled with his subject. He appears not to have made versification a study, nor does a natural acuteness of sense preserve him uniformly from the sin of inharmonious and labored verse: This is particularly the case in his contemplative and moralizing vein: the refinements of sentiment seem to hamper his utterance; but in the expression of quick, warm emotion, the verse becomes melodious as it is passionate: at one time flowing with elegance of diction and delicacy of rhythm, at another reminding us of the sweet airs of Mozart, played on a false key, or an untuned instrument.

The non-conformity of the ballads to the old-established ballad measurement,

does not particularly offend us. The nine-line stanza of the "Maid of Linden Lane," is not indeed that of

"Those venerable ancient song inditers,
Who soared a pitch beyond our modern writers;"

nor has it been generally used by the modern ballad writers, Shenstone, Goldsmith, Mallet, and the rest; who, though they chose to polish, adhered mostly to the old metres; and if Mr. Read's deviation be a fault, it is equally ascribable to the *Spanish Ballads* of Lockhart, and to Poe's popular ballad of *The Raven*.

To explain many of our author's peculiarities of expression, would be to wipe the dew from the peach, or shake the dew from the rose;—they are a part of that "shadow, to be felt, not grasped," which is your reviewer's definition of Poetry. We can no more, in "The Maid of Linden Lane," analyze the exact meaning of

"the chaff
From the melancholy grain,"

than, in "The Rhyme of the Ancient Mariner," we can explain the meaning of

"The silly buckets on the deck."

In following the fate of the two lovers, we feel assured that the relater of the story, tottering with her staff beneath the weight of years, must have witnessed what she so feelingly describes; yet we meet a pleasant and satisfactory surprise in the concluding lines:

"For remember, love, that I
Was the maid of Linden Lane."

The bustle and activity preceding the battle, the bray of the trumpet, the waving of banners, the neighing of chargers, the belted knights with waving plumes, the thunders of artillery, and the "fiery fray," are all effective, and have much of Campbell's spirit; it is only to be regretted that a gross error in syntax should mar one of the finest stanzas.

"Belted for the fiercest fight,
And with swimming plume of white,
Passed the lover out of sight
With the hurrying hosts amain.
Then the thunders of the gun
On the shuddering breezes run."

This ballad, however, affords, by no means,

the best specimens of our author's power.

One song (we give it entire, for it is short, and there is not a line that we can spare,) soars up "like a cloud of fire." It is delicate and euphonious, yet rich, passionate, and luxurious. The old anacreontic spirit pervades it. Standing alone, it indicates the genius of the poet—the true poet—forgetful of the reader, and wrapt in his intense consciousness of the beautiful, uttering like a prophet the emotions of a full soul.

"Bring me the juice of the honey fruit,
The large translucent, amber-hued,
Rare grapes of southern isles, to suit
The luxury that fills my mood.

And bring me only such as grew
Where rarest maidens tend the bowers,
And only fed by rain and dew
Which first had bathed a bank of flowers.

They must have hung on spicy trees
In airs of far enchanted vales,
And all night heard the ecstasies
Of noble-throated nightingales:

So that the virtues which belong
To flowers may therein tasted be,
And that which hath been thrilled with song
May give a thrill of song to me.

For I would wake that string for thee
Which hath too long in silence hung,
And sweeter than all else should be
The song which in thy praise is sung."

Into such a song as this "the mazy, running soul" of the nightingale's melody might seem indeed to have been poured.

Of a different, but still of a pleasing quality, is "The Butterfly in the City;" the sentiment refined, but the measure imperfect.

"The Beggar of Naples" we like least of all—the prettiest thing about it is the likening of a smile to

"The earliest primrose of the spring
Which at the brook-side, suddenly in sight
Gleams like a water sprite."

Of a purely meditative character, and not unlike some of the fine moral touches of Longfellow, is "The Deserted Road," a fair specimen of our author's general manner.

"Ancient road, that wind'st deserted
Through the level of the vale,
Sweeping toward the crowded market
Like a stream without a sail;

Standing by thee, I look backward,
And, as in the light of dreams,
See the years descend and vanish,
Like thy whitely tented teams.

Here I stroll along the village,
As in youth's departed morn;
But I miss the crowded coaches,
And the driver's bugle-horn—

Miss the crowd of jovial teamsters
Filling buckets at the wells,
With their wains from Conestoga,
And their orchestras of bells.

To the mossy way-side tavern
Comes the noisy throng no more,
And the faded sign, complaining,
Swings, unnoticed, at the door;

While the old, decrepid tollman,
Waiting for the few who pass,
Reads the melancholy story
In the thickly springing grass.

Ancient highway, thou art vanquished;
The usurper of the vale
Rolls in fiery, iron rattle,
Exultations on the gale.

Thou art vanquished and neglected;
But the good which thou hast done,
Though by man it be forgotten,
Shall be deathless as the sun.

Though neglected, gray and grassy,
Still I pray that my decline
May be through as vernal valleys,
And as blest a calm as thine."

The following has a mysterious, dreamy
romance about it:—

"MIDNIGHT.

The moon looks down on a world of snow,
And the midnight lamp is burning low,
And the fading embers mildly glow
In their bed of ashes soft and deep;
All, all is still as the hour of death;
I only hear what the old clock saith,
And the mother and infant's easy breath,
That flows from the holy land of Sleep.

Or the watchman who solemnly wakes the dark,
With a voice like a prophet's when few will hark,
And the answering hounds that bay and bark
To the red cock's clarion horn—
The world goes on—the restless world,
With its freight of sleep through the darkness
hurled,
Like a mighty ship, when her sails are furled,
On a rapid but noiseless river borne.

Say on, old clock—I love you well,
For your silver chime, and the truths you tell,
Your very stroke is but the knell
Of hope, or sorrow buried deep;
Say on, but only let me hear

The sound most sweet to my listening ear,
The child and the mother breathing clear
Within the harvest fields of Sleep."

There are two more stanzas, but there
should not have been; the poem naturally
and more effectively ends here.

"The Song for the Sabbath Morning,"
the last two stanzas of the "Night
Thought," and the two stanzas describing
a runnel and a cascade in "The Light of
our Home," are eminently beautiful.

Of the "Alchemist's Daughter," we
would say that the dramatic is not
Mr. Read's forte.

Of those remarkable inequalities which
denote at once his genius and his lack of
cultivation or attention, and which expose
him on so many sides to the shafts of crit-
icism, we offer some examples. What un-
pardonable carelessness, what a complete
falling asleep of the muse in the following:

"Conquered at last, the flying tribe describes
Its ancient wigwams burn, and light its native
skies."

One would scarcely credit that the same
author produced what succeeds it.

"The pioneers their gleaming axes swing,
The sapling falls, and dies the forest's sire—
The foliage fades—but sudden flames upspring,
And all the grove is leafed again with fire.
While gleams the pine tree like a gilded spire,
The homeless birds sail, circling wild and high;
At night the wolves gaze out their fierce desire;
For weeks the smoke spreads, blotting all the sky,
While, twice its size, the sun rolls dull and redly
by."

The expression "twice its size," betrays
the want of study; while the close of the
line is highly poetic.

Among much that is characterized only
by heaviness and mediocrity, we light oc-
casionally upon such lines as the following:

"And heard low music breathe above, around,
As if the air within itself made sound;
As if the soul of Melody were pent
Within some unseen instrument,
Hung in a viewless tower of air,
And with enchanted pipes beguiled its own despair."

* * * * *
"I walked the woods of March, and through the
boughs
The earliest bird was calling to his spouse;
And in the sheltered nooks
Lay spots of snow,

Or with a noiseless flow
Stole down the brooks;

And where the spring-time sun had longest shone,
The violet looked up and found itself alone."

* * * * *
"Through underwood of laurel, and across
A little lawn, shoe-deep with sweetest moss,
I passed, and found a lake, which like a shield
Some giant long had ceased to wield,
Lay with its edges sunk in sand and stone
With ancient roots and grasses overgrown."

* * * * *
"And swinging roses, like sweet censers, went
The village children making merriment."

* * * * *
"Hark, how the light winds flow and ebb
Along the open halls forlorn ;
See how the spider's dusty web
Floats at the casement, tenantless and torn !

The old, old sea, as one in tears,
Comes murmuring with its foamy lips,
And knocking at the vacant piers,
Calls for its long lost multitude of ships.

Against the stone-ribbed wharf, one hull
Throbs to its ruin, like a breaking heart :
Oh, come, my breast and brain are full
Of sad response—grim silence keep the mart !"

We should trespass upon our limits to indulge in more copious extracts. Our object has been to give fair play, and show that if our author have faults, he has also some of the highest characteristics of the true poet.

Experience is called the great Teacher, yet how often does experience fail. We seem to learn no lesson from the mistakes made in all times of depreciating each new aspirant, simply because he *is* new, and awarding to genius, too late, the meed that might have cheered, encouraged, and perfected it. We think little of the sunlight that falls along our daily walk, but we strain the admiring gaze to mark, through a telescope, the path of a distant planet.

If we have not mistaken our author, he will not "be killed by one critique." There is a vitality in the creations of genius :—mowed down by the pitiless sickle, it soon renews its latent growth, and springs afresh in its own glorious atmosphere.

SPAIN;*

HER WAYS, HER WOMEN, AND HER WINES.

No country is more generally known than Spain; few countries, perhaps, are less *well* known. Distracted for the last two centuries by the unparalleled impudence of foreign interference, that unfortunate but beautiful peninsula has thrilled the world with the romance of her misery. Her history enjoys the melancholy privilege of being dramatic, and with its stirring incidents the world is well acquainted. But we are strangely ignorant of the habits, manners, and feelings of the Spanish population of the present day. Most of us derive our information in this respect from the pages of Cervantes and Le Sage. The French humorist, in particular, evinces so thorough an acquaintance with the interior life of the Spaniards, that the latter, envious of a foreigner's glory, reaped from their own soil, have taken advantage of that very circumstance to argue, with some show of probability, that no one but a native of their country could be the author of *Gil Blas*. Strange misfortune of an author, whose genius was so great that they refused to believe it was his own!

The life-like air of reality impressed upon those miraculous pages, takes such a deep hold on the imagination that it would be difficult to persuade the reader that *Gil Blas* is not a trustworthy guide-book even to this day, and that the personages in that wonderful picture are not immortal types of the Spanish character. This idea has been furthermore kept alive by a host of other writers, great and small, who have drawn on that inexhaustible source of incident and picturesqueness to supply the weakness of their own invention. With most readers a kind of Cimmerian darkness envelopes Spain. They will entertain any

fiction, however wild, any range of imaginative ornament, however fantastic, and any improbabilities of incident or character, so that the "venue" be laid there. Therefore, the stage and the novel have filled their pages and scenes with traditional hidalgos in rags, exacting corregidores, venal alguazils, and revengeful prime-ministers, plausible and nature-like enough in Spain, though impossible elsewhere.

The brigands, too, and the contrabandistas—what elements of adventure they offer to the young writer! what a relief to a dull tale lies in a surprise by a party of guerilleros! True, all these tit-bits of romance belong to the past in Spain, as elsewhere; but while the reading public are tolerably well aware of the true state of things in England, France, or even Russia, they still obstinately cling to the belief that Spain, in the midst of the world's progress, has remained in a stationary state of lethargy for centuries, and that Rip Van Winkle, had he fallen asleep in Castile, under the reign of the English Mary's husband, would have no great cause for wonder upon awaking now.

Strange though it may appear, this prevailing misconception of the world in regard to Spain seems destined to be dispelled by American writers. The names of Prescott and Irving are inseparably connected with her antiquities and her chronicles, and some of our most intelligent travellers have brought to the task of estimating her condition, in modern times, that candid and unprejudiced spirit of inquiry, which alone is

* GLIMPSES OF SPAIN, OR NOTES OF AN UNFINISHED TOUR IN 1847, by S. T. Wallis. New York, Harper & Brothers.

equal to the enterprise, and which European explorers could scarcely be expected to exercise in the case of the Peninsula. For if it be true that they who have done the wrong can never forgive, Spain can expect neither mercy nor justice from the rest of the continent to which she belongs. These remarks occurred to us when we were perusing the pleasing relation of Mr. Wallis' travels. How much more appropriate are they now, that Mr. Ticknor's work,* a prodigy of labor and learning, has displayed to the world the hidden wealth of Spanish literature. We can hardly be brought to believe in the eclipse which has fallen upon the glory of Castile, when we look at the wonderful works of art she has produced in spite of Inquisition and tyranny; when we remember the tremendous energies she has put forth under the most discouraging adversity; when we consider that even now, under the pressure of governmental mismanagement and injudicious, or even unrighteous laws, her manufactures are struggling hopefully for success; when we reflect that, in her utmost hour of need, she has always given birth to some worthy son providentially commissioned to save her. We can hardly have faith in the decline of the land of the Campeador and Zumaia Carreguy. Yet there is no denying that she presents, at this moment, a lamentable picture of degeneracy and political insignificance. Perhaps ethnology might solve the problem, and reconcile the apparent contradiction by pointing out, side by side with the decay of the Visigothic population, (which, like all mongrels, must speedily pass away), the resurrection of the ancient Iberian spirit, the inextinguishable vitality that marks all aboriginal stocks, and the future redemption of classical Hispania by the descendants of those who so long resisted the Carthaginian and the Roman armies.

But considerations of such a nature would carry us too far, and we must be content to view the Spaniards as they now appear to us, without distinction of race or breed—precisely as one who studies their literature need spend no time in distinguishing what portions of their language

are derived from the Basque, and what from the Latin. Nor is this the only consideration that applies equally to the habits and the written works of a people. In all countries, national character and literature are found to keep pace together, the latter as the exponent of the former, and both impressed with kindred features. In Spain it is preëminently so, and the peculiarities both of their school of art of their temperament, present a family resemblance that shows them, at one glance, derived alike from the same circumstances.

From the age of Count Julian to that of the Cid, during which all of the Visigothic race that yet retained any of the manhood of their barbarous progenitors had sought a refuge among the mountains of the interior, where they acquired fresh energy in a more laborious mode of life, and perhaps fresh vitality from admixture with the aboriginal race,—what a rude training for the language and the character of the Spaniards. The pure Latin which they spoke, now tainted with Moorish and Basque, sank into a confused chaos, from which the sonorous Castilian afterwards arose. For in idioms, as elsewhere, decay and corruption contain within themselves the germs of life.

Nor could the exiles of Valencia and Toledo forget, in the rugged fastnesses of Biscay and the Asturias, the fair inheritance which the victorious Crescent had wrested from the Cross. As soon as they had recovered from their first consternation, they commenced that unrelenting warfare to the knife, which they pursued with indomitable energy until the blood of Tolosa had washed out the disgrace of Roderick. It was during this desperate hand-to-hand conflict, which lasted five or six centuries, that the Spanish language and the Spanish national character were formed. What wonder if both present some rugged features; what wonder if the idiom is less soft than the Tuscan, and the temper of the people full of enthusiastic exaggerations. A nation, born, as it were, on the field of battle, might well be expected to possess some of the less amiable attributes of the warlike character, and after spending her adolescence in a fierce religious contest, might be forgiven if religious intolerance sometimes mingled with her religious feeling. These circumstances affected Spanish art; for the hereditary ene-

* HISTORY OF SPANISH LITERATURE, by George Ticknor—in three volumes. New York, Harper & Brothers.

my of the Moor scorned to believe by halves, and embraced, with the same fervor of exalted faith, the Athanasian creed and the traditionary legends, the divine mission and the story of the portrait which Christ sent to King Abgarus, the mysterious atonement on the Cross, and the genuineness of the letter of Proconsul Lentulus to the Roman Senate, containing a description of the personal appearance of the Saviour.

Hence, the fine arts in Spain took a tone of intense fervor and severe simplicity, carried, as every thing else in that land of ultraism, to extreme exaggeration. Certain types obtained, by universal consent, the authority of law, and woe to the rebel whom the Inquisition caught departing from precedent. The canonized lived again on canvas or in marble, in their own true repulsiveness of penitential sanctity, with profuse and heavy drapery, with features emaciated by privations and composed in the rigid callousness of devotional contemplation. But never was the heaven-born inspiration of beauty admitted to gild the dreams of the Spanish artist, or to animate his creations. Never did the chisel or the brush, in that land of formal decorousness, disrobe the human form, that embodiment of the divine essence, to show the admirable symmetry of its proportions. Seldom was the fair face of nature found sitting for her portrait to a genuine son of Castile; so that Spanish art, with all its warmth of feeling and its ardent temperament, became confined to the narrowest channel, and preying upon itself, fell, as it were, into a monomania. Portraits of solemn friars, grim warriors, and stiff, haughty courtiers, legends of impossible miracles, formed, together with the more impressive episodes of the history of Christianity, the entire staple of painting and sculpture in the Peninsula. It was not uncommon for the Church,—the most liberal patron of arts at one time,—in her contracts with artists, to impose upon them, as on one occasion was the case with Navarette, the condition “that they should adhere strictly to Spanish orthodoxy and avoid the introduction of any Italian accessories or theological improprieties.”

Since Marshal Soult robbed Spain of her master-pieces, the world has learned to appreciate and admire the works of *Murillo*, *Domenico el Greco*, and *Herra-*

ra, and many others almost unknown before. The due amount of technical cant has been expended to illustrate their merits. And for a straight-forward, scholar-like account of some of the chief monuments of Spanish art, we unhesitatingly refer the reader to the work whose title stands at the head of this paper.

But it is in the literature, and even in the very essence of the language of Spain, that the influence of the circumstances attending their growth can more obviously and curiously be traced. An undertone of heroic pomp may be distinctly felt in both, and though less consonant with the present condition of the country than it was with the splendors of Charles V., it harmonizes gracefully enough with “that all-respecting self-respect which it is a miracle not to find in the bearing of a Spaniard, be he high or low,”—to quote a judicious remark of Mr. Wallis.

The name of that elegant writer reminds us that we have been digressing over much from the consideration of his work. Driven to travel by the delicate state of his health, he resolved to visit Spain. A short stay in Barcelona furnished him with materials for several very interesting chapters. From one of these we will make free to offer a few extracts, partly because we feel a presentiment that from Catalonia will rise the spirit which is destined to regenerate Spain, but chiefly because we think that, while but little is known in regard to the rest of the Peninsula, nothing at all is known concerning this particular section of it. “The Catalans, as all the world knows, have been famous, from their earliest history, for industry, intelligence, energy, obstinacy and combativeness; fond alike of freedom and money, they have seldom lost an opportunity of asserting the one, or scraping up the other. They were always among the foremost to bully or rebel against an unruly king, in the times when such performances were more perilous than at present; and in these days of pronunciamentos, they will get you up a civil war, or regale themselves with a bombardment, upon as short notice as the gamins of Paris require to break down an old dynasty or blow up a new one. Their physiognomy and general bearing show you, unequivocally and at once, that they are a sturdy, manly, independent people. They are quiet and grave, upon

the promenades and in the public places, but they have an air of doggedness about them which strikes you at first, as peculiar to individuals, but which you soon find to be almost universal. The common people, in their provincial dress, look sullen and fierce. Their sandals and girded loins give them a pilgrim air, as of men from far countries, and their harsh, grating dialect seems no improper vehicle for the expression of their habitual turbulence. Nevertheless, you see few beggars and no idlers among them. They are doing something always, and doing it in good earnest, as if they took pleasure as well as profit, to consist, chiefly, in occupation. The Infante Don Gabriel (one of the few among the later Bourbons, who have had capacity enough to say or do anything sensible) was the author of some clever verses, descriptive of the several provincial characteristics of his countrymen. Of the Catalans, he says, among other things, that they are able—"hacer, de las piedras, panes," to convert stones into bread; and, indeed, when we look into the rugged soil which they have subdued into fertility, and the constancy and patient industry with which they give themselves to the severest labor upon land and sea, we must concede that, even if they be, as their countrymen alledge, the most querulous and exacting of the provincial family, it is from no reluctance to put their own shoulders to the wheel, that they call so often upon Hercules. Some travellers say that they are uncivil to strangers, my experience was entirely to the contrary. Their courtesy, though not exuberant, I found both ready and cordial. True, as I have said, their manners are, in general, reserved, and their speech is laconic, but the ice is soon broken, and their intelligence and general cleverness repay the trouble amply.

"The Catalan is no favorite with his brethren of the other provinces. They have sundry hard names for him, which are more expressive than delicate, "*Cerrado como pie de mula*" (contracted, close, like a mule's hoof), is the proverbial phrase into which they have compressed their idea of his character. John Bull, too, has his say in the premises. The Catalans, according to his notion, are selfish, greedy of gain and monopoly, fierce foes to that glorious system of free-trade, of which Eng-

land is now the apostle to the custom-house gentiles, and which, sooner or later, is to be rounded with some sort of a millenium. John Bull, therefore, denounces them, in all the terms, measured and unmeasured, which such heterodoxy on their part deserves, and when his wrath is especially kindled, as some pet Spanish scheme of his falls through, he wreaks himself upon expression and calls them the "Yankees of Spain." In all his endeavors to negotiate commercial treaties, and break down the restrictive system which the Catalans particularly affect, he is influenced, he gives you his honor, by none but the most benevolent and unselfish considerations. France may have some motive of her own in pulling down Espartero and putting up Narvaez, but England looks only to the happiness of Spain in keeping Narvaez down, or keeping up Espartero. What matter can such things be to England? If she cannot import through the custom-house, she can smuggle in spite of it, and therefore it is all the same to her in point of fact, whether she has treaties or not. It is a mere question of morality," (Blackwood, vol. xxv., p. 723); but then John Bull is a famous stickler for that, as every body knows.

"The Catalans, upon their side, say that the world is too old, for people with beards on their chins to believe, that nations send ambassadors about the globe on crusades of disinterested benevolence. *Bailan al son que tocan*, is an old Castilian proverb. 'If people dance, it is because there is some music.' Mr. Cobden had passed through Spain but a short time before my visit, and the free-trade enthusiasm was in full blast in consequence. The Propagador, a newspaper in Cadiz, was especially devoted to the dissemination of the anti-custom-house faith. Mr. Bulwer's paper, the Espanol, of Madrid, was full of most demonstrative articles, in which it was satisfactorily proven, by facts and figures, that free-trade would bring back, permanently, to the Peninsula, days as golden as when her western mines were fresh. The Catalans, and the protective politicians generally, used to shrug their shoulders, and wonder if the case would be made out half so clearly, if the Ingleses had not an interest in the market, as well as the logic. Free-trade, they said, was

a good text to preach from, after a nation had so perfected her manufactures, as to find her surest monopoly in freedom. They thought it odd that Great Britain should never have proclaimed free-trade in the produce of her soil, till her own people were starving, or have encouraged it in her manufactures, till she was able to starve other people." (P. 36-8).

With all his keen perception of the selfish and interested policy of Great Britain in seeking to propagate (late converts are ever zealous) her doctrines of free-trade abroad, Mr. Wallis is not blind to the evils the protective system entails when carried to an excess. "It is impossible," he says, "for any intelligent and disinterested man to doubt, that the present Spanish system of tariffs on imports is absurd, in both its impositions and restrictions. Bad as it is, it is not half carried out, so that it does little else but thwart and nullify itself, which is pretty fair proof of folly. I went into a shop on the Rambla at Barcelona, and asked the price of some French wares, the high charge for which astonished me so much that I remonstrated. The good woman told me that what I said was very true. '*Mas que quiere vmd?* What will your worship have us do? It is impossible to get prohibited goods into the city, without paying at least seventy per cent. on their value to the smuggler."

"But is it possible," I asked, "that all these goods are prohibited? Your window is full of them, and the officers of the customs pass here at all hours."

"*No hay duda, Senor*—there's no doubt of that. Under the old system, they would perhaps have given me some trouble, but now that we have a constitution, the house of the citizen is inviolable. Once get your goods into the house, and there is an end of the business. There is scarcely a shop on the Rambla that is not full of prohibited goods."

When will law-makers learn that in legislation, extreme measures defeat their own ends? A question to be addressed to other legislators as well as those of Spain. In that country, however, the blind policy of the government in this respect has developed to greater perfection than elsewhere, a profession well suited to the adventurous and daring but desultory enterprise of its population. The rivers and

harbors are full of swift *misticos* and *felucas*—the mountain-passes are full of hardy parties of muleteers, whose sole occupation is to defraud the revenue.

Departing from Barcelona, our entertaining traveller takes us southward, chatting agreeably and describing picturesquely whatever occurs of sufficient note; yet, we regret to say, dispelling the pre-conceived romance of some of the most prevailing notions concerning Spain. For instance, he is so unfortunate as not to meet a single pretty woman in Valencia, although Gauthier and Ford both certify that there are multitudes of beauties in that city; "and what a Frenchman and an Englishman agree on, must be as demonstrable as any thing in Euclid." At Alicante he scarcely meets with better luck, and although he is willing to endorse its reputation for female loveliness, he is denied the best opportunity, perhaps, for judging, *i. e.* a walk through its famous cigar factory, where three or four thousand women are said to be employed—"a world of labor, sure, to end in smoke." At Cartagena and Almeria, he leaves us provokingly in suspense on that interesting topic, and at Malaga he becomes decidedly ungallant, and gives the sanction of his authority to a verse current in the country,

*Malaga tiene la fama
De las mujeres bonitas;
Mas no es tan fiero el leon
Como las jentes lo pintan!*

which uncourteous stanza may be rendered (freely) as follows:—

Here Fame invests each girl and dame
With every charm and grace—
Who paints the Devil black? Why, Fame
That never saw his face.

Mr. Wallis' description of the luscious plenty that prevails in this part of Spain, would make Lord Guloseton's mouth fairly water—and, report to the contrary notwithstanding, would leave us to infer that the bountiful presents of nature are nowise rendered nugatory by unscholar-like cookery, garlic having lately grown as unpopular in Spain as robbers and highwaymen are scarce. For scarce they really are, and our author deplores, with much feeling, that uninteresting safety of the highways, which deprived him of his share of hair-breadth escapes.

Unable, unfortunately, to treat his readers to glowing descriptions of the Spanish banditti, who seem to have almost vanished from their classical home, Mr. Wallis, in sheer despair, discusses another class who sometimes take life in the pursuit of their avocations. We will quote some of his concluding remarks concerning the medical profession in Malaga.

"As a matter of justice to the faculty of Malaga (though perhaps they have nothing to do with it) I ought to mention, that in looking over the daily bills of mortality, as published in the newspapers, I was constantly struck with the frequent instances of longevity. Deaths of persons, over ninety years of age, occurred very often during my first visit. I remember that of one who had gone considerably over an hundred, and the proportion of those who died at sixty, seventy, and eighty, was quite large. Captain Widdington notices this fact in his sketches, and it is entitled to some consideration, on account of the particularity with which the parish records are kept, and the consequent improbability of mistake. I cannot account for the anomaly, in view of the medical habits alluded to, unless it be, that the parties who had lived so long had been too poor to employ physicians, or that constitutions which could survive the *Consultas* of twenty years, were good for a century at least, in the absence of earthquakes and *pronunciamientos*.

"Whether the Spanish physicians are responsible for some very droll notions upon medical subjects, which prevail among the people, I am not prepared to say; but, if they be, it is clear that their art needs mending. Pulmonary consumption, for example, is popularly deemed contagious, and patients suffering from it are treated and shunned accordingly. When death ensues, the sick-chamber goes through a perfect quarantine of disinfection; and beds, clothing and furniture are consigned to the flames. In Cadiz, it occurred to me to exchange my travelling bag for one of a more convenient size. The tradesman expressed his regret that he could not find any use for mine: "It is an excellent one" he said, "but it has been slightly used and nobody will buy it. My customers will think that it has belonged to some consumptive person, (*algun ético*) and although your worship

does not look like one, it will be of no avail for me to say so."

"In the use of leeches to reduce inflammation of the brain, it is customary to apply them, at the lower extremity of the spine; the theory being, that the farther you draw the blood from the diseased part the better! Why, upon that principle, they stop short of the soles of the feet, or do not send the blood a league into the country afterward, seems rather difficult to understand.

"An English gentleman told me, that in conversation with one of the most eminent of the faculty in Grenada, he alluded to the recent discoveries in regard to sulphuric ether. "You mistake," said Esculapius. "It is not ether; it is carbonic acid gas, and I tell you it is very dangerous. It asphyxiates the patient immediately!"

We dare say that these playful flings at "the profession" in Spain must be merited. For we find our author but little addicted to satire, except when he is dealing with some French or English traveller in whose track he follows. Alexander Dumas, Theophile Gautier, Ford, and many others are treated by him with unmerciful rigor. But to every thing Spanish, he is as gentle as if his journey had been a pilgrimage of love.

The character which he claims for Spanish women stands in bold relief by the side of the flippant descriptions which other travellers have given us. Since Byron took upon himself the ungenerous task of defaming the fair sex of the Peninsula, it has become the fashion to follow his example. Not a French *commis-voyageur*, not a British graduate, who does not claim to have been very generally an object of particular solicitude and tender affection among the beauties of Seville and Cadiz. To hear these self-sufficient travel-writers, chastity does not exist in Spain. We are tempted to think that they ignorantly judged of the whole society of that country from the very limited and not very exalted part of it that admitted their visits. We will never forget the experience of the author of *Miriam Coffin* in that respect. He was once walking in a Spanish city with a Caledonian friend. A beautiful female passed them in the street, and, turning back, smiled somewhat significantly towards them. Mr. Hart expressed his astonishment. "Oh dom!"

answered his matter-of-fact friend, "she is nothing but a dom'd —"

We will not finish the sentence, since the author himself does not. Mr. Hart quotes this as the only instance of immodest conduct on the part of a Spanish female that ever came under his observation. And we should not wonder if the only difference, in that respect, between him and some more cynical travellers, consisted in this: that the latter, in their excursions did not always chance to have a matter-of-fact Scotchman by their side.

We have lingered too long, we find, in that part of Spain to which properly applies the "*dura tellus Iberia*." Were we to follow Mr. Wallis, we must visit in turn Seville, Cordova, Grenada, and what, with his pleasing narrative, the thousand recollections which these names awaken and the time we must employ in worship to the genius of Irving that consecrates the Moorish capital, this paper would stretch beyond its allotted limits. Not only the poetry of Spain but even its utilitarian matter-of-fact statistics must we leave unnoticed in our haste. Surely we would greatly astonish some of our readers if we were to copy from Mr. Wallis his account of some of the manufactures of Spain. But we may not pause. Embark we, therefore, with him on board the first steamer; let us force the *ne plus ultra* of Hercules, and bestowing a passing glance upon Gibraltar, rejoice that we are once more upon our own Atlantic. Nor dare we tarry with him at Cadiz, although an English traveller says that "it may be seen in one day." Here we might be forcibly detained by attractions far superior to those of Moorish remains, galleries of paintings or vasty gothic cathedrals, haunted with feudal reminiscences. The "Girl of Cadiz," as sung by Byron, remains in the imagination as a choice type of female loveliness; and strange to say, not a dissenting voice has been raised against her claim. Mr. Hart, in his *Romance of Yachting*,* has enthusiastically endorsed the world-wide reputation of the ladies of Cadiz for beauty, and even our fastidious traveller, Mr. Wallis, is content

to join, in his quiet way, his own homage to that of all former tourists.

From Cadiz, however, we may be permitted to accompany our author on a flying trip to Xeres, and then, with the nectar of its vintage still upon our lips, (at least in imagination) close the agreeable volume to which we have dedicated these remarks.

A flying trip to Xeres did we say? No, Xeres is deserted. We will only take the ferry-boat at Cadiz, and flying across the bay on the wings of steam, land at Port Saint Mary, where Duff Gordon's famous cellars are, where all the wine-merchants of Xeres keep their pleasant country-houses and their still pleasanter vaults. At the mouth of the Lethe—oh land of Hesperia, what a host of classical recollections arise at the mention of that name, corrupted though it be into the modern "Guadalete," which Arabic scholars teach us is compounded of the ancient word with the Moorish prefix signifying water. These abstemious Moslems, unacquainted with the sweet forgetfulness of sack, how could they couple the idea of water with that of Lethe? The true Lethe sleeps on the banks of that stream within the cool capacious cellars of Duff Gordon, where twelve tuns of immense size baptized (sans water) with the names of the apostles, contain oblivion enough to have drowned all the sorrows of that last Gothic army which poor Roderick arrayed against the Paynim on this very spot. In praise of genuine Sherry (Xeres) we need not speak. We will appeal to the recollection of our readers, and invoke the genius of Falstaff to our aid.

"A good Sherris sack hath a twofold operation in it. It ascends me into the brain, dries me there all the foolish and dull and crudy vapors which environ it; makes it apprehensive, quick, forgetive, full of nimble, fiery, and delectable shapes; which delivered o'er to the voice which is the birth, becometh excellent wit. The second property of your excellent Sherris is, the warming of the blood; which, before cold and settled, left the liver white and pale, which is the badge of pusillanimity and cowardice; but the Sherris warms it, and makes it course from the inwards to the parts extreme."

Most fully will we endorse the commendation of the critical Sir John, provided that it be applied exclusively to pure Xeres

* THE ROMANCE OF YACHTING. *Voyage the First*. By Joseph C. Hart, Author of *Miriam Coffin*. New York, Harper & Brothers.

wine unadulterated with any strengthening or coloring matter. It is really unaccountable that a thing in itself so excellent as good wine must needs be drugged by meddling improvers upon the handiwork of nature. Pure wine is seldom exported from Spain or Portugal. A late writer has created almost a panic among the wine drinkers of England by his exposition of sundry secrets attending the manufacture of Port. We forget his statistics, nor have we the pamphlet at hand. But it would appear that the Port wine we drink in this country is invariably an article whose fermentation has been stopped (*coupe* the French wine-growers call it) by an admixture of brandy in a frightful proportion. The theory is, that all wines if allowed to ferment to the full extent are somewhat sharp to the taste while new, and that this peculiar flavor which would betray the date of the vintage can be disguised by interrupting the process of fermentation. The imperfect, stunted liquor obtained in this artificial manner, though pleasing to the palate, requires some further "doctoring" to disguise other characteristics attendant upon wine insufficiently fermented. So that to cover up the fraud with another fraud, more brandy, together with coloring matter, is added. It seems that the evil, as regards port wine, originates in the fact that the vintage of 1824 was remarkably successful. The wine raised that year had all the properties of excellent wine in its utmost perfection. The inferior produce of subsequent seasons found the fastidious customer wholly intractable, and the exporters were obliged to resort to fraud in order to gratify the public (*English*) taste. Such is the explanation of the author of the pamphlet in question. But we think that the practice he refers to has been for a very long time in use in most wine growing countries.

Sherry has probably suffered less than most wines from this kind of adulteration. It is generally allowed to ferment sufficiently, and then the properties of "age" are communicated by mixture with older wines. The "brown sherry" is made by mixing the paler kind with coloring matter. Abundance of brandy is added for the English market, the Spanish merchants honestly believing in their hearts that they cannot better please their British customers than

by drugging that delicate wine with spirits. As a warning to the consumer of Falstaff's favorite Sack, we will in conclusion of this paper copy a paragraph from the volume before us, although Mr. Wallis pleads guilty to limited information in the premises:—"No Sherry exported, not even the best, is a simple, unprepared production of nature. It is, all of it, the result of time, mixture, and much doctoring. The finest is the growth of the district immediately about Xeres, and its natural purity is only violated by the admixture of something better of the same sort. The oldest, richest, and most generous wines, are kept and used especially to give body, strength, and flavor to the new ones that need them. The inferior qualities come from the districts along the coast. These last, good enough in themselves and when left to themselves, become any thing but nectar by the time they have been manufactured into sherry. Some of them, to be sure, enriched by the judicious admixture of the *vino jeneroso*, become sound and respectable wines, and there is no knowing how much of homely San Lucar, and even dry Malaga, passes into the cellars and down the throats of the Anglo-Saxons yearly, with the name and at the cost of the ripest *Jerezano*. But this is not the worst. Immense quantities prepared especially for exportation, and at cheap rates, have their principal virtues given to them by the liberal use of bad brandy; and it is with them chiefly that the sherry-drinking world is drugged. * * * A wine of fine quality, eight or ten years old, will cost at Xeres, at least four dollars the gallon. Those who know what our tariffs are and have been, and who can calculate the cost of transportation, may judge from the range of prices with us." * * *

From these hasty remarks it is easy to perceive, that the American wine-drinker pays, not only from his purse, but with his health, for the poor privilege of being accounted the possessor of a fashionable brand. We could name from actual experience, at least twenty places in the Mediterranean where excellent pure wine is raised, of a flavor nearly equal to that of Burgundy, Constance and Sherry, and in our opinion vastly superior to that of all the Rhenish in the universe; and yet no enterprising importer is found to enlighten

the wine-loving community as to the existence of these cheap luxuries. The subject is one of vast importance, and we may recur to it hereafter.

We are happy to learn that Mr. Wallis has received a mission to visit Spain in a diplomatic capacity. We hail the prece-

dent as a hopeful one for the literary profession in our country, whose members, though they have had to struggle against unparalleled difficulties, are rapidly acquiring a standing worthy of the cause they represent and of the great nation to which they belong.

E. L.

“JUDGE NOT LEST YE BE JUDGED.”

We know not, and we ne'er may know
Another's joy, another's woe.
What yearning love, by pride concealed,
In deathless flame burns unrevealed;
What seeming vice unjustly blamed,
By sternest virtue might be claimed.
We know not what temptation lures,
What strength resists,—what faith endures:
How *far* in error's path misled;
Or tears, how oft repentant shed.

The dreariest desert hath its spray;
The rudest coast its peaceful bay;
The roughest ridge some flower between;
The wildest heath its patch of green,
Where dews may fall and sun-beams play,

And airs of heaven are free to stray.
'Mid frailty, thus, and sin, and woe,
Do buds of gentler promise grow;
And thus, at times, an angel's wing,
May wake them to the genial spring.

Too often crushed, where man has trod,
The flower lies spoiled upon the sod;
Too often torn by blame and scorn,
The soul-flower dies as soon as born.
Frail human heart! And who that lives,
But owes far more than he forgives?
Forbear thou, then, in virtue strong,
To frown on those a frown may wrong.
Alone shall God a just decree
Award to them,—to them, and *thee*.

THE WORKS OF EDGAR A. POE.*

MACAULAY, in the opening paragraphs of his essay on Lord Bacon, observes that the moral character of men eminent in letters or the fine arts is treated with tenderness by the world, because the world is disposed to be charitable to the faults of those who minister to its pleasure; and he proceeds to instance in his brilliant manner, "Falstaff and Tom Jones have survived the game-keepers whom Shakspeare cudgelled, and the land-ladies whom Fielding bilked," &c. But if it be true that the world is most charitable to the characters of those who contribute most to its enjoyment, then the world is certainly not very delicate in its charity; for could it be ascertained, for example, that some other damsel than Anne Hathaway occupied the place that should have been hers during this very Shakspeare's long absence from her, even the telegraph lines, that give us the twilights of the foreign news before the sunrise of the newspapers, would be put in requisition to spread the scandal; and could a secret correspondence, arising out of some such relation, be dug out of the British Museum, how quickly should we have it in cloth, in boards, in pamphlets for two shillings, and in the columns of extras for six-pence! So if we consider who those are who do really contribute most to the world's enjoyment, we shall easily conclude that they are the very ones to whom it is least kind, either while they are alive or after they are dead. It was not kind to Burns; it is not kind to any of those who are the life of the world, "the salt of the earth," who season and intensify

it, each by some individual vitality; an eye, an ear, or an inward questioning, that *must* drink in beauty and *must* wrestle with itself, or not live; or else a strong fortitude that stands like a wall against woe and wrong, all-comprehending, all-feeling, and all-suffering, but unmoved in the faith of better things hereafter. The inferior organizations which make up the sum of being, do not so much honor these nobler spirits as they beat against them, like the rain, and the floods, and the wind, against the house that was founded upon a rock.

So far, therefore, from admitting the universality of Macaulay's law, we look upon it as only one of the natural superficialities of an acute Scotchman. We are too deeply steeped, to relish speculation which goes no deeper than this, in the metaphysics of VON DENCKEN, that most indefatigable of Dutch philosophers, from whom we will translate a paragraph for the benefit of readers who may not have had access to him.

"As in the material world, so the chemist tells us, nothing is ever lost, though the forms of things change; the tree grows and decays; the fire separates the coal into its various products; metals oxydize, and the water that ascends in vapor descends in rain; so it seems to be in the immaterial world: of that breath of life which was breathed into Man at the creation, and whereby he became a 'living soul,' not an atom has left him, though it is ever manifesting its presence in such an infinity of shapes. For since there is the same amount of matter now in the world as there was at the end of the creation, why should not ana-

*THE WORKS OF EDGAR A. POE: With Notices of his Life and Genius. BY N. P. WILLIS, J. R. LOWELL, and R. W. GRISWOLD. In two volumes. New York: J. S. Redfield, 1850.

logy teach us that there is likewise the same amount of life? The world may be more populous now than it was in the centuries immediately succeeding Adam, though the names of the patriarchs are supposed to stand for tribes, but even if they are for individuals, what a development of strength must there have been in the antediluvian ages, when the vigor of a single human being outlasted a period as long as might be occupied by one who should have been born before the first crusade and have a century yet to live! And in proof that their lives were as comprehensive as ours, we have the mountain-like ruins of their cities; and their maxims, their poetry, and their religion, have come down to us. They were as wise in their generation as we are in ours.

"But in those old, pastoral days, the changes in the combinations of spirit and matter, in humanity, did not take place so rapidly as they do now when the earth is so much more subdued to man's uses. There is now a more violent ebullition, and the streams of bubbles chase each other upward, and change and shift more rapidly. Our bodies are frailer, and we pass through our little cycles subject to infinitely more numerous perturbing influences. At least, this is true just in these few civilized families, and especially in the new continent of America, to which the nations are crowding.

"Yet, even there, the process goes on, similar to growth and decay in vegetable life, by which nothing of the divine breath is lost, but it only enters into new combinations, to re-appear in other forms. No man can live and die in any contact with his species, without all that was peculiar in him having its effect upon, or, so to speak, combining with, his contemporaries and successors; and especially in those callings which bring individuals to be known of great numbers of their fellows, may this be observed.

"Let us," proceeds Von Dencken, "consider the case of authors. Whoever writes a book and publishes it, if he has ability enough to attract readers, will be sure, in the end, to have all that which was *real truth* in it, with regard to himself, found out and duly weighed. However different his organization may have been from the common one; if even all that was easy to others was to him difficult; however much his temper may have been exacerbated by cares that others could not feel, and views they could neither see nor understand—in the end, all that was singular in the composition of his spirit will be again received into the ocean of existence through the rain-drop tears of joy or grief, or the silent absorption of the soil of kindred minds. The balance of vitality will be maintained.

"And this not through any particular lenience of the world to 'the faults of genius,'

for no such lenience exists. But the inquiring soul of man will not rest, where it sees aught peculiar, until it has ascertained the whole. And when it sees, for instance, in a single case, that 'here was a delicate and beautiful crystal of a being, which *could* not have grown into any other shape but this, *could* not have transmitted to us any but this sombre light,' it will look into itself and observe its own tendencies towards a similar destiny, and will spontaneously endeavor to master them. Thus, what wrought unto death in the original, is in the next taken as a healthful assimulant. All that the original suffered in overcoming, is saved to the next combination, so far as that particular element is concerned. What a centralization of soul-vigor took place in Homer, who could master so well the beauties of thought, speech, and music, as to inform the mind of so many nations, through so many centuries! The fire is immortal, and will never be extinguished by diffusion. So, too, those great English poets, whom I delight to study, Shakspeare and Milton; they were so individual, and so capable to endure so much, both of the good and evil of life, that they have imparted strength to their whole nation, who are never weary of inquiring and thinking of them, and of how the world must have appeared to them. The real part of them, the true vitality of their souls, not the mere bodily power, but that by which they could endure and overcome, knowing, and looking down upon it from an assumed region of *thought*—this was so much more comprehensive and powerful than the same quality in any other writers, that they have exalted the level of life in their whole nation. All intelligent English spirits have some affinity with them.

"Yet, a daily life," continues the philosopher, "even with gentle Will, as they termed him, might not have been so pleasant as would at first be thought; and, surely, one might have selected a more agreeable domestic companion than the author of *Paradise Lost*. But, whatever mere infirmities of temper these men may have had, they had them in common with thousands who could not have suffered half so keenly as they, nor have lifted a finger to conquer. Hence it is that the world is sometimes thought to pardon too easily the faults of such men; when in reality it does not so much esteem them *faults* as the necessary consequences of certain organizations. Milton could not but have been passionate; but he teaches us to control passion. Shakspeare may have been too worldly and unsympathetic; the danger is that he makes us too thoughtful and generous to rise in the world. The vigor they had, lives and is immortal; their weakness has passed away along with the weakness of ten thousand other men. They have carried many souls upward

to elevations which those souls, by their own powers, could never have reached, nor maintained—carried them there, it may be, in thousands of cases, while they, by reason of innate weakness, were ever falling into vices and crimes which would have otherwise absorbed their whole being. Thus the growth of spirit goes on in the universe, somewhat like the Aurora Borealis, when its spires shoot up fitfully in a long line across the arctic sky; now and then comes one more brilliant than its fellows, but the general sum of light is always the same; if we imagine an interdependence among the rays, so that each shall operate upon all near it in the ratio of the strength of each, we shall have a perfect exemplification of the manner in which the spirits of men operate upon one another, and by which a constantly disturbed, yet never changing equilibrium of 'the breath of life' is maintained throughout the race of mankind."

Thus for Von Dencken. We have not quoted this illustrious philosopher here to introduce our notice of Poe with an apology for his faults, but to indicate the point of view from which we design to contemplate him. We intend to consider him, not as a phenomenon, as *an organic human being*; to judge from what we read of his writings, and are informed of his life, what was his peculiar cast of soul; and thence to inquire how far he, a very feeble individual in body, certainly, and subjected to singular accidents, played a man's part on the stage of existence. This we shall endeavor to do through an estimate of his characteristics as a writer—since it is only as a writer, born with a peculiar spirit, and bred and living under peculiar circumstances, that the world has any concern with him. The mortal of him has returned to the dust; his imperfections, which remain in the memories of those who knew him, were better forgotten; since it aids none of us to remedy our own short-comings, to remember those of others after they are gone. According to the Von Denckenian theory, it is only with his *peculium*—the vital part of that combination of spirit and matter which erewhile walked these streets under the style of Poe—that we have aught to do; for the reason that it is this part only, this individual vitality, to use the philosopher's nomenclature, which can combine with new affinities and re-enter the general soul of the universe—the man himself having departed, (upward, we trust, since

he held his face upward while here, through much oppression and depression) but his spiritual vigor being left to diffuse itself among his countrymen.

In the first place, then, POE, in all his writings included here, appears as a pure-minded gentleman—of a strange fancy, it is true, but never low or mean. He always addresses his readers in a scholarly attitude. He interests them through the better nature; he holds the mind's eye with singular pictures, or draws the understanding into curious speculations, but in the wildest of his extravagancies he does not forget his native dignity. Considering how difficult, not to say how impossible, it would have been for him to have done this amidst all the excitements of his feverish life, had it not been real and natural to him, we cannot but believe him to have been actually and in his very heart, what he appears in his pages.

Secondly, he seems to us to have been originally one of the most sensitive of men, and subject to peculiar nervous depressions; at the same time so constituted that his normal and healthful condition was one which required a great elevation of the spirits. If we imagine an extremely sensitive boy, full of fun and harmless mischief, suddenly chilled into a metaphysician, but with his early state still clinging to him, we think we have Poe precisely. No human being can be more ill-fitted for the struggle of life than such an one. The realities of existence overwhelm him; what excites others to press onward crushes him; their joy is his grief; their hope his despair; all his emotions become so intense and intolerable that he cannot endure them, and wildly endeavors to stifle feeling. Charles Lamb was constituted very much after this manner: he cried at weddings and laughed at funerals; but he had habits of study, the influence of strong intellects, duty to his sister, and, perhaps, the fear of insanity, to restrain him.

Besides, Lamb's mind, though clear, was anything but mathematical in its tendencies; while with Poe's, this was a marked trait. Originally gifted with peculiar perceptions of the beauty of form, and of a disposition apt to perceive symmetrical relations both in things and ideas, Poe, when the blight came, found refuge in following out chains of thought in harmony with the

gloom that enshrouded him. Instead of avoiding the shadow he would boldly walk into it and analyze it. Hence comes his peculiar power. No writer ever understood better how to work upon the nervous system. He must have been able, one would think, to master the horror of the most awful night-mare that ever visited a dyspeptic couch, to have faced his own conceptions, and yet we can see often in his tales, glimpses of the native boyish glee that must have once been his life, and which still lurks behind his haunted imagination. And not only in his fancy, but apparently in his whole nature did the actual press upon him so heavily that his original youth was borne down, and he appeared to the world as through an inverting lens. The necessities from without, arising in part from his inward constitution,

"Shook so his single state of man, that function
Was smothered in surmise; and nothing was,
But what was not."

He himself, in reasoning upon it, seems to have reproached himself for it as a crime, when it was no more a crime than the despondency of Cowper. Several passages in his tales, though they touch the individual experience of every reader, seem to come from him like confessions. For example:

"And then came, as if to my final and irrevocable overthrow, the spirit of PERVERSENESS. Of this spirit philosophy takes no account. Yet I am not more sure that my soul lives, than I am that perverseness is one of the primitive impulses of the human heart—one of the indivisible primary faculties, or sentiments, which give direction to the character of Man. Who has not, a hundred times, found himself committing a vile or a silly action, for no other reason than because he knows he should not? Have we not a perpetual inclination, in the teeth of our best judgment, to violate that which is *Law*, merely because we understand it to be such?"

And again, in the tale, "The Imp of the Perverse," we have the following characteristic passage:

"We have a task before us which must be speedily performed. We know that it will be ruinous to make delay. The most important crisis of our life calls, trumpet-tongued, for immediate energy and action. We glow, we are consumed with eagerness to commence the work, with the anticipation of whose glorious result our whole souls are on fire. It must, it

shall be undertaken to-day, and yet we put it off until to-morrow; and why? There is no answer, except that we feel *perverse*, using the word with no comprehension of the principle. To-morrow arrives, and with it a more impatient anxiety to do our duty, but with this very increase of anxiety arrives, also, a nameless, a positively fearful, because unfathomable craving for delay. This craving gathers strength as the moments fly. The last hour for action is at hand. We tremble with the violence of the conflict within us,—of the definite with the indefinite—of the substance with the shadow. But, if the contest have proceeded thus far, it is the shadow which prevails,—we struggle in vain. The clock strikes, and is the knell of our welfare. At the same time, it is the chanticler-note to the ghost that has so long overawed us. It flies—it disappears—we are free. The old energy returns. We will labor *now*. Alas, it is *too late*!

"We stand upon the brink of a precipice. We peer into the abyss—we grow sick and dizzy. Our first impulse is to shrink from the danger. Unaccountably we remain. By slow degrees our sickness, and dizziness, and horror, become merged in a cloud of unnameable feeling. By gradations, still more imperceptible, the cloud assumes shape, as did the vapor from the bottle out of which arose the genius in the Arabian Nights. But out of this our cloud upon the precipice's edge, there grows into palpability, a shape, far more terrible than any genius, or any demon of a tale, and yet it is but a thought, although a fearful one, and one which chills the very marrow of our bones with the fierceness of the delight of its horror. It is merely the idea of what would be our sensations during the sweeping precipitancy of a fall from such a height. And this fall—this rushing annihilation—for the very reason that it involves that one most ghastly and loathsome of all the most ghastly and loathsome images of death and suffering which have ever presented themselves to our imagination—for this very cause do we now the most vividly desire it. And because our reason violently deters us from the brink, *therefore*, do we the more impetuously approach it. There is no passion in nature so demoniacally impatient, as that of him, who shuddering upon the edge of a precipice, thus meditates a plunge. To indulge for a moment, in any attempt at *thought*, is to be inevitably lost; for reflection but urges us to forbear, and *therefore* it is, I say, that we *cannot*. If there be no friendly arm to check us, or if we fail in a sudden effort to prostrate ourselves backward from the abyss, we plunge, and are destroyed."

There can be no doubt that this infirmity was experienced by Poe, almost as intensely as he has here represented it.

With the superficial there is only one name for any mental affliction which prevents a man from laboring when he has apparently every motive to labor, and every necessary ability. They call it "idleness," and they fancy that he who is thus afflicted is enjoying the luxury of repose, at the very moment when he is powerless under the torture of anxiety.

There was a true philosophy in the reply of the lusty beggar to the farmer, who asked him why he did not go to work—"Oh," said he, "if you only knew *how lazy I am!*" He was above conventional notions, in the region of ultimate truth. The curse that was laid on the ground for Adam's sake bore so heavily on him that he could not find sufficient resolution to strive against it. Nevertheless, he was certainly a free and original thinker, and the story goes, that the farmer appreciated the sublimity of his answer.

But Poe, with all this depression or over-excitement, call it what we please, bearing upon him, inverting his original nature and rendering him incapable of self-control, was anything but an idle man. These tales and poems are not the offspring of an indolent brain. They are wrung from a soul that suffered and strove; from a fancy that was driven out from the sunny palaces of youth and hope, to wander in

"A wild weird clime that lieth, sublime,
Out of space—out of Time."

Even the bulk of what he has written is considerable, as here collected, and these are only the cream of a great mass of writing.

Estimated by its quality, however, and compared with the productions of any of our writers of the same age, we think that Poe did his work as well as the best of them. The material he wrote in was finer. The class of readers whom he will find most favor with, are those of delicate fancies and who are subject to gloomy forebodings—a more numerous class than is often supposed, and of far more consequence—for though the politicians, the hard, noisy, impudent, and ambitious, do the work of governing the earth, it is the meek and patient who inherit it.

With Poe, as with all men of genius, there was an ever-abiding consciousness of the presence of Death. He delighted to

look the destroyer in the face and to trick him out in theatrical horrors. With some there is a constant gnawing fear of the monster, and they avert their eyes from him, or now and then steal shuddering glances askance; with others there seems to be an utter inability to realize that they are immortal—that after a few years at most, of inevitably decreasing capacity for enjoyment, their souls will be in heaven or hell, and their bodies in the grave—the sun shining above and the throng of the living pressing on as before. For either of these kinds of readers, Poe's stories must be healthy diet; for the first, because he goes beyond their utmost agonies of apprehension, and stales and tames them; for the second, because he frightens their consciences—makes them wake and shudder, and form good resolutions, in the still watch-eyes of the night.

In several passages in his tales Poe has, unintentionally personated himself:

"My fancy grew charnal. I talked 'of worms, of tombs and epitaphs.'"

And again, in the same sketch, he takes us into the very gates of death:

"It might be asserted without hesitation, that *no* event is so terribly well adapted to inspire the supremeness of bodily and of mental distress, as is burial before death. The unendurable oppression of the lungs—the stifling fumes of the damp earth—the clinging to the death garments—the rigid embrace of the narrow house—the blackness of the absolute Night—the silence like a sea that overwhelms—the unseen but palpable presence of the Conqueror Worm—these things, with thoughts of the air and grass above, with memory of dear friends who would fly to save us if but informed of our fate, and with consciousness that of this fate they can never be informed—that our hopeless portion is that of the really dead—these considerations, I say, carry into the heart which still palpitates, a degree of appalling and intolerable horror from which the most daring imagination must recoil."

Even where he does not deal directly with Death, he delights to take up and draw elaborately some one of those gloomy clouds that roll upward from the dark abyss. This is so well known to be his *forte* that we need give only one or two examples, and those such as will also illustrate presently a remark on his manner and style. The opening of "The Fall of the House of

Usher," is wilder and profounder than the introduction to *Der Freyschutz* :

"During the whole of a dull, dark, and soundless day in the autumn of the year, when the clouds hung oppressively low in the heavens, I had been passing along on horseback, through a singularly dreary tract of country; and at length found myself as the shades of the evening drew on, within view of the melancholy House of Usher. I know not how it was—but, with the first glimpse of the building, a sense of insufferable gloom pervaded my spirit. I say, insufferable; for the feeling was unrelieved by any of that half-pleasurable, because poetic, sentiment, with which the mind usually receives even the sternest natural images of the desolate or terrible. I looked upon the scene before me—upon the mere house, and the simple landscape features of the domain; upon the bleak walls; upon the vacant eye-like windows; upon a few rank sedges; and upon a few white trunks of decayed trees; with an utter depression of soul which I can compare to no earthly sensation more properly than to the after-dream of the reveler upon opium; the bitter lapse into everyday life; the hideous dropping off the veil. There was an iciness, a sinking, a sickening of the heart; an unredeemed dreariness of thought which no goading of the imagination could torture into aught of the sublime. What was it; I paused to think; what was it that so unnerved me in the contemplation of the House of Usher? It was a mystery all insoluble; nor could I grapple with the shadowy fancies that crowded upon me as I pondered. I was forced to fall back upon the unsatisfactory conclusion, that while, beyond doubt, there are combinations of very simple natural objects which have the power of thus affecting us, still the analysis of this power lies among considerations beyond our depth. It was possible, I reflected, that a mere different arrangement of the particulars of the scene, of the details of the picture, would be sufficient to modify, or perhaps to annihilate its capacity for sorrowful impression; and acting upon this idea I reined my horse to the precipitous brink of a black and lurid tarn that lay in unruffled lustre by the dwelling, and gazed down—but with a shudder even more thrilling than before—upon the remodelled and inverted images of the gray sedge, and the ghastly tree-stems, and the vacant and eye-like windows."

What a *Salvator Rosa*-like landscape is that which occurs in the course of "*The Gold Bug* :

"We crossed the creek at the head of the island by means of a skiff, and, ascending the high grounds on the shore of the main land, proceeded in a northwesterly direction, through

a tract of country excessively wild and desolate, where no trace of a human footstep was to be seen. Legrand led the way with decision; pausing only for an instant, here and there to consult what appeared to be certain landmarks of his own contrivance upon a former occasion.

In this manner we journeyed for about two hours, and the sun was just setting when we entered a region infinitely more dreary than any yet seen. It was a species of table land, near the summit of an almost inaccessible hill, densely wooded from base to pinnacle, and interspersed with huge crags that appeared to lie loosely upon the soil, and in many cases were prevented from precipitating themselves into the valleys below, merely by the support of the trees against which they reclined. Deep ravines in various directions, gave an air of still sterner solemnity to the scene."

And in the "*M.S. found in a bottle*," we have a sea view from an ocean that had not been visited before, since the voyage of the *Ancient Mariner* :

"Our course for the first four days was, with trifling variations, S. E. and by S.; and we must have run down the coast of New Holland. On the fifth day the cold became extreme, although the wind had hauled round a point more to the northward. The sun arose with a sickly yellow lustre, and clambered a very few degrees above the horizon, emitting no decisive light. There were no clouds apparent, yet the wind was upon the increase, and blew with a fitful and unsteady fury. About noon, as nearly as we could guess, our attention was again arrested by the appearance of the sun. It gave out no light, properly so called, but a dull and sullen glow without reflection, as if all its rays were polarized. Just before sinking within the turgid sea, its central fires suddenly went out, as if hurriedly extinguished by some unaccountable power. It was a dim, silver like rim alone, as, it rushed down the unfathomable ocean."

It is good to remain as child-like in our perceptions and affections as we can. Children are the most catholic of readers: only interest them and nothing comes amiss. One who can, like them, pass from the lively dialogue of Dumas, to these pictures of concentrated mysterious apprehension, and find amusement in both, will be likely never to die of *ennui*.

Many of these tales, if not all, were hastily written, and, they are therefore often fragmentary and imperfect. Sometimes the plot is too obvious and the secret is out too soon; in others, the particular horror is

too horrible to be contemplated, however artistically it might be veiled. But in all, wherever Poe gives his dreaming fancy any play, it never fails to paint vividly. Take its pictures altogether, and they belong to a new school of grotesque *diablerie*. They are original in their gloom, their occasional humor, their peculiar picturesqueness, their style, and their construction and machinery. Of their gloom we have just spoken.

The balloon of Hans Pfaal, seen by the citizens of Rotterdam, and made of dirty newspapers, is a touch of Poe's original playfulness. So also the negro in the "Gold Bug;" the "Balloon Hoax," is the work of a born quizz; "Some words with a Mummy," "Hop Frog," "Bon Bon," "The Devil in the Belfrey," "Lionizing," and many more, show how full he naturally was of boyish feeling. They are mere trifles to please children; but then he was a child who wrote them—he never got over being a child.

The fate of Mr. Toby Dammit, in the sketch "Never bet the Devil your Head," is an awful warning—one which even now it is impossible to contemplate without emotion. He bet the Devil his head that he could leap over a certain stile; it happened that above the stile was a thin flat bar of iron, which he did not perceive, and which shaved his head clean off. Our author gives the conclusion:

"He did not long survive his terrible loss. The homeopaths did not give him little enough physic, and what little they did give him he hesitated to take. So in the end he grew worse, and at length died, a lesson to all riotous livers. I bedewed his grave with my tears, worked a *bar sinister* on his family escutcheon, and for the general expenses of his funeral, sent in my very moderate bill to the transcendentalists. The scoundrels refused to pay it, so I had Mr. Dammit dug up at once, and sold him for dog's meat."

What a bold comparison we have in "The Duc de L'Omelette," where the hero is taken by Baal-Zebub into the enchanted chamber.

"It was not its length nor its breadth, but its height; oh, that was appalling! There was no ceiling, certainly none; but a dense whirling mass of fiery colored clouds. His Grace's brain reeled as he glanced upwards. From above hung a chain of an unknown

blood-red metal, its upper end lost, like the city of Boston, *parmi les nues*."

In the "Rationale of Verse," a not very clear essay, but one abounding in acute suggestion, we have plenty of examples of a like pleasant sarcasm. Indeed, throughout these writings there is enough to show that their author, as is generally true of such spirits, was no less sensitive to the laughable than to the horrible. Indeed, had life gone happily with him, it is possible he might have been only known as one of the gay spirits of fashionable society.

With respect to Poe's style, the extracts above given from "The Gold Bug," "the M.S. found in a bottle," &c., exhibit his affluence of musical variety in expression, and command of words.

One more extract we must give, not only for its eloquence, but in illustration of our theory, that Poe was one originally so sensitive, the first breath of the world withered him; so that he was benumbed, and fancied he had outlived his heart:

"She whom I loved in youth, and of whom I now pen calmly and distinctly these remembrances, was the sole daughter of the only sister of my mother long departed. Eleonora was the name of my cousin. We had always dwelled together, beneath a tropical sun, in the Valley of the Many-Colored Grass. No unguided footstep ever came upon that vale: for it lay far away up among a range of giant hills that hung beetling around about it, shutting out the sunlight from its sweetest recesses. No path was trodden in its vicinity; and to reach our happy home, there was need of putting back with force, the foliage of many thousands of forest trees, and of crushing to death the glories of many millions of fragrant flowers. Thus it was that we lived all alone, knowing nothing of the world without the valley,—I, and my cousin, and her mother.

"From the dim regions beyond the mountains at the upper end of our encircled domain, there crept out a narrow and deep river, brighter than all save the eyes of Eleonora; and winding stealthily about in mazy courses, it passed away at length, through a shadowy gorge, among hills still dimmer than those whence it had issued. We called it the "River of Silence; for there seemed to be a hushing influence in its flow. No murmur arose from its bed, and so gently it wandered along, that the pearly pebbles upon which we loved to gaze, far down within its bosom, stirred not at all, but lay in a motionless content, each in its own old station, shining on gloriously forever.

"The margin of the river, and of the many dazzling rivulets that glided through devious ways into its channel, as well as the spaces that extended from the margins away down into the depths of the streams, until they reached the bed of pebbles at the bottom,—these spots, not less than the whole surface of the valley, from the river to the mountains that girdled it in, were carpeted all by a soft green grass, thick, short, perfectly even, and vanilla-perfumed, but so besprinkled throughout with the yellow buttercup, the white daisy, the purple violet, and the ruby-red asphodel, that its exceeding beauty spoke to our hearts in loud tones, of the love and of the glory of God."

Poor Poe! It was a sad day for him when he was forced from dreams like these into the real world, where there are so many "far wiser" than he. No wonder he sometimes lost heart and temper, and soon died!

We have observed that Poe is original, not only in his gloom, his humor, and so forth, but also in the construction of his tales. Indeed, it is for this he has been most found fault with. It is said he wrote his things "on a plan." It is not denied that he contrives to get up an interest; but it is objected that he does it systematically, foreseeing the end from the beginning, laying out his work, and deliberately going through it.

But is not this really an argument in his favor? The painter composes "on a plan;" he touches not his canvas till his whole design is sketched, or laid out perfectly, in his mind; he *must* do so. Still more is this true (though we are aware it is not generally thought so) with the musical composer; everything is so calculated beforehand, the composition may be said to exist in his mind, exactly in reverse order; in the freest style, the climax is the first thing conceived, and to which the rest is adjusted. And in writing plays, must not the plot be first established, and then elaborated? Does any one suppose that Shakspeare did not foreknow the action of Hamlet, when he sat himself to write it? or that he *improvised* Macbeth? or that he could elaborate that singular texture of plots, the *Midsummer Night's Dream*, by the Dumas process of accretion? Surely those who think so cannot understand any, the simplest work of art, in its entirety. For a work of art is not a heap of things built

up, and to which more may be joined; it is, like the French Republic, "one and indivisible." If you take away aught from it, it is incomplete; if you add, you put on what does not belong to it. Even so simple a work of art as a house, must be built "on a plan," or it will be only a conglomeration of rooms; and whenever it is completed, whatever is added is very properly styled an "addition." The pen in our hand, we could not have made it without definite design. Why should we not have tales constructed on such plots as it will best excite a continued interest to unravel?

Why—because the present day seems to abound in little writers, who make much noise, but whose minds have no strength, no connection of ideas; no dependence of thought upon thought; nothing that enchains the reader, and goes on developing, from sentence to sentence, paragraph to paragraph, and page to page. We have many among us of this stamp, whom it is impossible to read without confusion. Of course all such are the natural foes of order, prolonged interest, and grand emotion. They wish to go from thing to thing; to feel only themselves; to smatter, and dogmatize, and talk—talk—talk. O, how weary, stale, flat, and unprofitable is all they have to utter!

Again; it has been objected to Poe's stories and poems, that they are abstract, unlike anything in real life, out of all experience, and touching no human sympathy. As to the abstractness and remoteness from experience, if these be faults, God help the wicked! for the author of *Paradise Lost* is surely damned; but as to their coldness and incapacity to touch human sympathy, that we utterly deny. We are unable to perceive, from these harmless little sketches and verses, a reason for all that has been said of Poe's cold-heartedness, "cynicism," want of moral sense, and so on. It must be admitted, however, that if the friendship manifested in these biographical prefixes was the warmest he could inspire, he was certainly one of the most unfortunate men that ever lived. But to judge him purely as he appears in his own writing, we do not see but that he had as much "heart" as other men—as much, at least, as other literary men who have resided as long as he did in this

"commercial metropolis." To be sure, his disposing of the remains of his friend Mr. Toby Dammit in the manner he did, after the transcendentalists refused to bear the expenses of that gentleman's funeral, was out of the common way; but who ever heard Dr. Southwood Smith accused of inhumanity for dissecting his friend Jeremy Bentham?

All these objections and accusations appear to us to have arisen from two sources; first, his success in gaining, at once, what so many would give their eyes for, viz.: a reputation; and, secondly, his frankness, or want of self-respect. This leads us to speak of his poetry, and of what he has related respecting his mode of writing it.

Coleridge, speaking of some of his own poems, observes: "In this idea originated the plan of the 'Lyrical ballads;' in which it was agreed that my endeavors should be directed to persons and characters supernatural, or, at least, romantic; yet so as to transfer from our inward nature a human interest, and a semblance of truth, sufficient to procure for these shadows of imagination that willing suspension of disbelief for the moment, which constitutes poetic faith." "With this view I wrote the 'Ancient Mariner,' and was preparing, among other poems, the 'Dark Ladie,' and the 'Christobel,' in which I should have more nearly realized my ideal, than I had done in my first attempt."

From this extract we learn that even that most fanciful of modern poems, the "Ancient Mariner," was written in conformity with a specific purpose, if not "on a plan." Doubtless, also, had it served its author's purpose to enlighten us concerning the manner of his composition, he could have done so; for, the existence of a design argues forethought in execution. How certain words, rhymes, and similes came into his mind, he could not have told; but why he chose that peculiar metre, or, at least, *that* he chose a metre, he could have told, and also many other incidents of the poem's composition.

Poe has done this with regard to "The Raven;" a much shorter piece, and one admitting a more regular ingenuity of construction—but still a poem full of singular beauty. His opening remarks in this analysis show the perfect frankness, or indiffer-

ence with which he sets to work to dispel his own conjurations:

"I have often thought how interesting a magazine paper might be written by any author who would—that is to say, who could—detail, step by step, the processes by which any one of his compositions attained its ultimate point of completion. Why such a paper has never been given to the world, I am much at a loss to say—but, perhaps, the autorial vanity has had more to do with the omission than any one other cause. Most writers—poets in especial—prefer having it understood that they compose by a species of fine frenzy—an ecstatic intuition—and would positively shudder at letting the public take a peep behind the scenes, at the elaborate and vacillating crudities of thought—at the true purposes seized only at the last moment—at the innumerable glimpses of idea that arrived not at the maturity of full view—at the fully matured fancies discarded in despair as unmanageable—at the cautious selections and rejections—at the painful erasures and interpolations—in a word, at the wheels and pinions—the tackle for scene-shifting—the step-ladders and demon-traps—the cock's feathers, the red paint and the black patches, which, in ninety-nine cases out of the hundred, constitute the properties of the literary *histrion*."

In what follows, wherein he goes minutely into his process of composition, though, in general, true, he was probably misled by the character of his mind, his love of speculation, his impatience of littleness, the "perverseness" we have claimed for him, and a secret delight in mystifying the foolish—to make it appear that he wrote the whole poem, as he would have demonstrated a problem, and without experiencing any state or phase of elevated feeling. The poem itself is so sufficient an evidence to the contrary, and Poe, in his explanation, in its mode of construction, "The Philosophy of Composition," has carried his analysis to such an absurd minuteness, that it is a little surprising there should be any verdant enough not to perceive he was "chaffing." He was enough a boy in his feelings to take delight in quizzing. What are most of his stories, but harmless hoaxes? Horrible faces grin at us in them out of the darkness; but at the end comes the author, shews them to be nothing but pumpkin lanterns, and cries "sold!" in our faces.

Probably there is not, in all poetry or prose, an instance where language is made

to present a more vivid *picture* to the fancy than in this poem. The mysterious introduction, the "tapping," the appearance of the Raven, and all his doings and sayings, are so perfectly *in character*, (we were once, many years ago, the "unhappy master" of one of these birds, who, it was evident, were in league with the devil,) that we seem actually to see him :

"Open here I flung the shutter, when, with many a
flirt and flutter,
In there stepped a stately Raven of the saintly days
of yore,
Not the least obeisance made he ; not a minute
stopped or stayed he ;
But, with mien of lord or lady, perched above my
chamber door—
Perched upon a bust of Pallas just above my
chamber door—
Perched, and sat, and nothing more.

"Then this ebony bird beguiling my sad fancy into
smiling,
By the grave and stern decorum of the counte-
nance it wore,
'Though thy crest be shorn and shaven, thou,' I
said, 'art sure no craven,
Ghastly grim and ancient Raven wandering from
the Nightly shore—
Tell me what thy lordly name is on the Night's
Plutonian shore !'
Quoth the Raven, 'Nevermore.'"

Perhaps Poe would tell us that, in writing these stanzas, having determined, upon good reasons, to introduce the Raven in some fantastic manner, he then considered what motions a bird of that species would be likely to make, and finally concluded to choose the most natural, as being the most fantastic ; and thus, at length, after looking his dictionary, pitched upon the word "flirt," which Johnson defines to mean "a quick, elastic motion," as most suited to his purpose ; then, finally, connected with it "flutter," not so much to add to the meaning, as for the convenience of the rhyme with "shutter." And for such harmless "philosophy of composition" as this, he must be set down for a man of no heart !

To our apprehension, it is quite impossible that most of the words and phrases in these two stanzas could have been chosen in any other than an elevated state of feeling—a condition when

"The poet's eye in a fine frenzy rolling,
Doth glance from heaven to earth, from earth to
heaven,

*And, as imagination bodies forth
The forms of things unknown, the poet's pen
Turns them to shapes, and gives to airy nothing
A local habitation and a name."*

The "*stately* Raven," coming in with "many a flirt and flutter ;" the "saintly days of yore"—what days ? where ? when ? ; the "obeisance," "mien of lord or lady," how picturesque ! And in the second stanza every line is the offspring of the highest power of poetic vision ; "grave and stern decorum," and

"Ghastly grim and ancient Raven *wandering from the Nightly shore,*
Tell me what thy lordly name is on the Night's
PLUTONIAN SHORE !"

—where is this "Nightly shore," which we recognize as familiar, like the scenery of a dream that we never saw before ? We seem to have heard of it and to know of it, and yet it is a perfectly new region. There is an indescribable power in the sound of these words, as also in the march of the lines which precede it. As the product of a pure vividness of fancy, and a sustained intense feeling, they are as remarkable as any similar passages in our poetic literature.

The natural expression of intense or elevated feeling is music. Hence in all poetry which has this characteristic, (and all poetry has it in greater or less degree,) language is used with a power independent of its meaning to the understanding. The musical expression strives to predominate ; and it is so ardent that it can even color with its fiery glow the cold and unmelodious sounds of articulate speech ; under its influence the syllables of words fall into rhythmic forms, and the mere confined range of the vowel sounds and the ordinary inflections of sentences, become a chant.

In Shakspeare, the understanding was so alert that it rarely yields to the feeling, without evidence of a mighty conflict ; generally the result is rather a thought-exciting struggle than a triumphant victory. Perhaps there is no instance in his blank verse, where the musical expression so entirely overpowers the other, that words have a sense entirely independent of their meaning. But then how beautifully both effects are sometimes blended :—

"The murmuring surge,
That on the unnumbered idle pebbles chafes,
Cannot be heard so high."

Or,

"let the brow overwhelm it,
As fearfully as doth a galled rock,
O'erhand and jutting his confounded base,
Swilled with the wild and wasteful ocean."

Or, perhaps the finest instance is from the chorus before King Henry's speech:

"Suppose that you have seen
The well-appointed King at Hampton Pier
Embark his royalty; and his brave fleet
With silken streamers the young Phæbus fanning.
Play with your fancies; and in them behold,
Upon the hempen tackle, ship-boys climbing:
Hear the shrill whistle which doth order give
To sounds confused: behold the threaden sails,
Borne with the invisible and creeping wind,
Draw the huge bottoms through the furrowed sea,
Breasting the lofty surge. O do but think,
You stand upon the rivage, and behold
A city ON THE INCONSTANT BILLOWS DANCING!"

It is only in his ballads, however, where he abandons himself more entirely to the emotion, that the musical element so predominates as to render its effect the primary one. Perhaps the dirge in *Cymbeline*,

"Fear no more the heat o' the sun, &c."

the serenade in the same play;

"Hark! hark! the lark at heaven's gate sings,"

and the ballad in "*Love's Labor Lost*,"

"When daisies pied and violets blue,"

are the readiest examples.

But even here, though the primary effect of the words is a musical one, that is, one arising from their sound, in that we read them and feel their expression, while our idea of their meaning is indistinct; yet when we come to examine them, we find that they have more than an indistinct meaning—a perfectly plain one—so plain that we wonder it does not strike us at first, (though, familiar as they are, it never does).

But in Milton, and sometimes in others, we have examples where not only the primary, but the *sole* effect of the words is musical, the meaning being indistinct. *He* had a meaning, but *we* enjoy the effect, so far as it is purely poetic, without understanding what is said, and entirely through the sound of the words. Thus his mere catalogues of names, of which we understand nothing definite, affect us poetically. For example, the passage in *Lycidas*:

"Or whether thou to our moist vows deny'd,
Sleep'st by the fable of Bellerus old,

Where the great vision of the guarded mount,
Looks towards Namaneos and Bayona's hold;"

How few who have felt the sense of grandeur, vastness, and antiquity here expressed, understand "the fable of Bellerus," or have a place for Namaneos and "Bayona's hold," in their geography? And again:—

"As when far off at sea a fleet desery'd,
Hangs in the clouds, by equinoctial winds,
Close sailing from Bengala, or the isles
Of Ternate and Tidore, whence merchants bring
Their spicy drugs."

We have a distinct recollection what a thrill of pleasure it gave to learn long ago at school, where those islands really were; before that it had been sufficient for their poetic effect to know that they were islands; now, of course, we enjoy in addition to the poetry, the pride of knowledge. But passages in illustration of the musical effect are in Milton without number. Indeed, the whole poem, it is possible to conceive, might be enjoyed by that order of minds, which have only elevated feelings, without clear ideas.

When the gryphon pursues the Arimasian, few stop to inquire what a gryphon is, who is an Arimasian, and what pursuit is alluded to; so far as the *idea* is concerned, it might as well read for "gryphon," *tomson*, and for "Arimasian," *Poliopkian*.

"And all who since, baptized or infidel,
Jousted in Aspramont or Montalban,
Damasco, or Morocco, or Trebisond,
Or whom Biserta sent from Afric's shore,
When Charlemain, with all his peerage, fell
By Fontarabia."

So not only in these sublime cadences, but in the common expression of the whole poem, the musical so overpowers the logical, that it is possible to feel and relish the qualities of the poetry, with only an indistinct notion of the meaning. Thus, in the comparison of the swarm of locusts "*warping* on the wind," the word has so lost its old significance that the meaning is not plain, yet the sound and rhythm of the lines do all but create. So in descriptions of architecture, "golden architrave," and

"Cornice or frieze, with bossy sculptures graven,"

few boys, of the many who (it is to be hoped,) early learn to love Milton, are so well up in their architecture as to know

the meaning of these technical words—the sole effect to them is through an indistinct idea of the meaning, just enough to hold the mind interested, joined with a rich flow of language whose words and cadences had their birth in the musical element—that very heaven of the fancy, the region of pure RAPTURE, which lies above the plain of *things*, and which MUSIC alone can reach.

We might multiply instances out of the poets, from Chaucer and Spenser, who abound in them, down to the best of our own time and country. Marvell, perchance, caught the lyric power from him whom he called friend; Collins was a sweet singer; Gray called the Eolian lyre to awake, and under his hand it did awake. Nearer us we have Campbell, Wordsworth, and one of the greatest natural masters of musical effect, if Scotchmen tell us truly, Burns; the power of his broad Scotch cannot be properly estimated by any but his countrymen; but there is one little change of a word in Tam O'Shanter which shows the genius:—

“Or, like the rainbow's lovely form,
EVANISHING amid the storm.”

Who could have taught him to use that almost obsolete word with such power? For it really sets the whole line quivering like a flash of lightning.

Coleridge's *Kubla Khan* is the first instance, that we are aware of, in which an attempt is made by an *assumed*, yet not unnatural, indistinctness of meaning, to portray a phase of feeling too subtle and evanescent to be touched with definites. About his time, the same thing was done by Beethoven in music; among his trifles, “*bagatelles*,” as they are rightly named, for the piano, are some which begin sanely and run off into actual wildness; in his last symphony, and in some of his posthumous works, he is thought to have ventured too far unintentionally. In painting, too, the notion of aiming at only a single effect has arisen, and is a favorite one with a numerous class of artists. And in literature, we have, at last, Poe, who writes poems that move us deeply, but in which the meaning is only hinted at, and even that sometimes so obscurely that it is impossible to find out an unbroken connection; but there is always an evident design and an

extremely artistic construction. And to counterbalance him, we have, as before observed, writers, and their name is legion, whose minds appear to have lost the power of sequent thought, whose writing is bald, unjointed, without form, and void.

Between all such as these (a portion of whom even declined, as we have seen, to reimburse him for the funeral expenses of his friend Mr. D.) and Poe, there was, necessarily, a wide gulf. Poe's mind, though it would have to do with only the fragilest ideas, and though ever grasping, and never comprehensive, yet worked beautifully within its range, while it remained unbroken. When he chose, there is no writer who ever had a more perfect command of his native style, or could pursue a flight of subtle thoughts more closely and rapidly. The minuteness of his description never wearies. His taste, also, was like the tunica conjunctiva of the eye, sensitive to the least notes; we never know, in the “*Gold Bug*,” whether the *scarabeus* is a supernatural insect or only a mechanical contrivance; we never know who sent the Raven from “the Night's Plutonian Shore!” it would have been less mysterious in either case if we had been told. In some of his later things we see where his physical strength was failing him, and his mental power getting enfeebled through “too much conceiving;” we see it, as we can see it, in a greater or less degree, in the working of all minds which are or have been overwrought. But even in these things—even in *Eureka*—to read is like wandering through the ruins of a fair city that has been pillaged by barbarians; there are sacred things wantonly mutilated, beautiful images broken and scattered, and yet still enough left to show the original structure.

What rank Poe is to take in the catalogue of our poets, Time will assign him, in the face of all that might be urged by the most sagacious reviewer. But as Time never tells his secrets till they are found out, we may be excused for offering an opinion.

That Poe will long be considered, as he is now, a poet of singular genius, there can be no question. What he attempted, had never been attempted before; and he succeeded in it. He wrote poems addressed to the feelings, wherein the meaning is designedly vague and subordinate. As

long as our language retains its present shape and inflection, we think the musical effects of these poems will be felt and acknowledged. But when the next change comes over it—and that might be very soon, by the sudden uprising of a great poet, with a new song in his mouth,—they will be forgotten. For they have no power to stay change. Their indistinctness does not arise, like the indistinctness of Milton and Shakspeare, from the reader's ignorance, and hence there is nothing in them to keep them forever in the world's eye; no learning, nor any powerful burden of true philosophy to overawe the majority who have no perception of poetic beauty. Hence, also, though Poe succeeded, marvellously succeeded, yet we cannot find it in our heart to wish what he accomplished ever to be undertaken again. We would prefer to keep the old lines distinct; to have neither poetry or music, the brother or the sister, infringe upon each other's domain. The mind is never permanently satisfied with single effects; when the first glow has passed, we look deeper, and if there is no fuel the fire goes down. Hence, also, again, though we now feel the excellence of Poe so strongly, it is with a sort of misgiving that we may outgrow or become indifferent to him hereafter.

We will quote one or two of his pieces, which may be new to our readers, to illustrate an observation upon some of his peculiarities of construction. The following has much of the form and effect of a wild rondo in music:—

"DREAM-LAND.

By a route obscure and lonely,
 Haunted by ill angels only,
 Where an Eidolon, named NIGHT,
 On a black throne reigns upright,
 I have reached these lands but newly
 From an ultimate dim Thule—
 From a wild weird clime that lieth, sublime,
 Out of SPACE—out of TIME.

Bottomless vales and boundless floods,
 And chasms, and caves, and Titan woods,
 With forms that no man can discover
 For the dews that drip all over;
 Mountains toppling evermore
 Into seas without a shore;
 Seas that restlessly aspire,
 Surging, unto skies of fire;
 Lakes that endlessly outspread
 Their lone waters—lone and dead,—
 Their still waters—still and chilly
 With the snows of the lolling lily.

By the lakes that thus outspread
 Their lone waters, lone and dead,—
 Their sad waters, sad and chilly
 With the snows of the lolling lily,—
 By the mountains—near the river
 Murmuring lowly, murmuring ever,—
 By the grey woods,—by the swamp
 Where the toad and the newt encamp,—
 By the dismal tarns and pools
 Where dwell the Ghouls,—
 By each spot the most unholy—
 In each nook most melancholy,—
 There the traveller meets aghast
 Sheeted Memoirs of the Past—
 Shrouded forms that start and sigh
 As they pass the wanderer by—
 White-robed forms of friends long given,
 In agony, to the Earth—and Heaven.

For the heart whose woes are legion
 'Tis a peaceful, soothing region—
 For the spirit that walks in shadow
 'Tis—oh 'tis an Eldorado!
 But the traveller, travelling through it,
 May not—dare not openly view it;
 Never its mysteries are exposed
 To the weak human eye unclosed;
 So wills its King, who hath forbid
 The uplifting of the fringed lid;
 And thus the sad Soul that here passes
 Beholds it but through darkened glasses.

By a route obscure and lonely,
 Haunted by ill angels only,
 Where an Eidolon, named NIGHT,
 On a black throne reigns upright,
 I have wandered home but newly
 From this ultimate dim Thule."

The repetition with which the third stanza, or strophe, commences, "By the lakes that thus outspread," &c., is one of Poe's obvious peculiarities. It occurs in every stanza of the Raven, &c.

"Eagerly I wished the morrow;—vainly I had sought to borrow
 From my books surcease of sorrow—sorrow for the lost Lenore—
 For the rare and radiant maiden whom the angels name Lenore."

The same repetition makes "Ululume" nearly twice as long as it would be without it:—

"The skies they were ashen and sober;
 The leaves they were crisped and sere:
 The leaves they were withering and sere."

We observe it also in "The Bells," "Annabel Lee," "Eulalie," and other pieces—indeed, indications of a tendency to a similar form may be traced in his prose.

This form was natural to Mr. Poe because it is the natural expression of intense

feeling. A fine example of it is suggested by Wordsworth from the song of Deborah, "*At her feet he bowed, he fell, he lay down; at her feet he bowed, he fell; where he bowed, there he fell down dead.*"

There is some reason for supposing that this form is peculiarly suited to the melody of our language. For it is so uniform a peculiarity of all ancient English tunes to commence the second strain with a repetition of the last phrase of the first, that they may be as readily distinguished by it as Scottish or Irish tunes by their characteristics. The tune of Chevy Chase (always sung, or rather murdered, by the gravedigger in Hamlet) has this form; another, the words of which begin, "When I was bound apprentice in famous Lincolshire," &c., is perhaps a more familiar instance.* The third stanza of Dream-Land is but an imitation in language of a new strain in melody.

Where this repetition is at shorter intervals, and with variations, as in *Ululume passim*, it bears a curious analogy to the structure of the phrases in very many of Beethoven's melodies. One little point is taken up, repeated, augmented, varied, and so beaten upon the brain with the force of the most intense passion. We think of no instance likely to be known to the general reader; the opening to the andante of the first symphony may be remembered by some.

But, indeed, this repetition, growing out of "imitation," runs through all music, and is at once the symmetry of its movement and the life of its expression. Poe has a singular paragraph upon music which is worth quoting in this connection:—

"The perception of pleasure in the equality of *sounds* is the principle of *Music*. Unpractised ears can appreciate only simple equalities, such as are found in ballad airs. While comparing one simple sound with another they are too much occupied to be capable of comparing the equality subsisting between these two simple sounds, taken conjointly, and two other similar simple sounds taken conjointly. Practised ears, on the other hand, appreciate both equalities at the same instant—although it is absurd to suppose that both are *heard* at the same instant. One is heard and appreciated from itself: the other is heard by the memory; and the instant glides into and is confounded with the secondary

appreciation. Highly cultivated musical taste in this manner enjoys not only these double equalities, all appreciated at once, but takes pleasurable cognizance, through memory, of equalities the members of which occur at intervals so great that the uncultivated taste loses them altogether."

It would appear from this, that Poe had very acute perceptions of the relations in sound arising from consecution, but not of those growing out of consentaneousness; he could analyze the drawing, but not the color.

This is the secret of his peculiarities of style and construction. But beyond and above all this there was a soul of poetry in him. As we glance over these volumes to satisfy ourself that we have said all we intended, (for even this article, gentle reader, is constructed "on a plan,") there are two short things which it would be unjust not to quote. The first is less peculiar in structure than most of his pieces, but it is full of exquisite fancy:—

"THE HAUNTED PALACE.

In the greenest of our valleys
By good angels tenanted,
Once a fair and stately palace—
Radiant palace—reared its head.
In the monarch Thought's dominion—
It stood here!
Never seraph spread a pinion
Over fabric half so fair!

Banners yellow, glorious, golden,
On its roof did float and flow,
(This—all this—was in the olden
Time long ago),
And every gentle air that dallied,
In that sweet day,
Along the ramparts plumed and pallid,
A winged odor went away.

Wanderers in that happy valley,
Through two luminous windows, saw
Spirits moving musically,
To a lute's well-tuned law,
Round about a throne where, sitting
(Porphyrogene!)
In state his glory well befitting,
The ruler of the realm was seen.

And all with pearl and ruby glowing
Was the fair palace door,
Thro' which came flowing, flowing, flowing,
And sparkling evermore,
A troop of echoes, whose sweet duty
Was but to sing,
In voices of surpassing beauty,
The wit and wisdom of their king.

But evil things in robes of sorrow,
Assailed the monarch's high estate,
(Ah, let us mourn!—for never morrow
Shall dawn upon him desolate!)

* In this the second strain only reverses the phrases of the first; thus: 1, 2,—2, 1.

And round about his home the glory
That blushed and bloomed,
Is but a dim remembered story
Of the old time entombed.

And travellers, now, within that valley,
Through the red-litten windows see
Vast forms, that move fantastically
To a discordant melody,
While, like a ghastly rapid river,
Through the pale door,
A hideous throng rush out forever
And laugh—but smile no more."

As we write these lines a review of Poe lies before us, which we were pained to see, and in which the writer says he has been led to believe Poe "mainly destitute of moral and religious principle," and "certain it is that the most careful student of his works will search in them vainly for elevated and generous sentiment." We cannot see any reason in these volumes for so harsh an opinion; and we feel very sure the world will not, either. As to sentiment, it was not Poe's province to deal in sentiment; but surely he could give expression to elevated emotion. As to his

morality, we see not but that he writes like a gentleman; (always excepting what he relates of his conduct to the remains of his friend Mr. D.;) he did not undertake to write sermons. His poetry and prose are full of pure beauties; he could paint "rare and radiant maidens," and express those affections for such which only gentle hearts can feel. Nay, one need not be of the Roman faith to feel a loftier aspiration in the following

"HYMN.

At morn—at noon—at twilight dim—
Maria! thou hast heard my hymn!
In joy and woe—in good and ill—
Mother of God, be with me still!
When the hours flew lightly by,
And not a cloud obscured the sky,
My soul, lest it should truant be,
Thy grace did guide to thine and thee;
Now, when storms of Fate o'ercast
Darkly my Present and my Past,
Let my Future radiant shine
With sweet hopes of thee and thine!"

Feb. 11, 1850.

G. W. P.

CONGRESSIONAL SUMMARY.

THE interests of the State are becoming daily more involved in the great subject of Slavery. Prominent political questions that have served hitherto to distinguish parties, seem to have lost all their vitality, and are either not heard of at all, or are merely introduced as affairs of form, and are then postponed to some future season of leisure and tranquillity. In truth, the old party lines, that were marked out by economical principles, have, to a great extent, been erased, and a new line, one of the most dangerous that could possibly be formed, is taking their place. The country has been accustomed to see men divided on points of general legislation; now they are separating on geographical boundaries. The Slave States are organizing a firm, united, compact opposition to the Free. It is a great Southern interest no less than a political principle, opposed to a moral principle asserted where slavery does not exist. On the one hand, human bondage is denounced as the most intolerable of all evils, inconsistent with the political axioms of our government, with the doctrines of the people, with the common rights of humanity, with the opinions of the enlightened world, and with Christian morality and religion, and, therefore, while it must be permitted where it already is established, its exclusion from territories that are yet free from it is believed to be demanded by every benevolent consideration, and to be sanctioned by the law and by precedent. The South replies to such reasons by reasons of a more practical kind. She is willing to admit, that taking a merely moral view of the question, bondage is a wrong to the slave, but that in effect it is not half so bad as it is commonly represented. She alleges that if it were abolished, the actual condition of the negro would be rendered far worse than it is at present, while the whites would inevitably be ruined. The Wilmot Proviso, or any similar measure, although it does not pretend to meddle with slavery in States already established, would do a great injustice to the South, both by denying to her equal constitutional privileges, and by the fatal moral effects that such legislation would produce among the slave population as well as among the free. She declares that slavery was one of the essential conditions of the country when the

Union was organized, that its political rights were at that time acknowledged, and that, under the constitution, every territorial acquisition that the nation may make, belongs as fully to the people owning slaves as to those who are horror-struck at such an enormity. She adds, with them rest all the evils—on their heads be the guilt. They are willing to take all the responsibility—all they desire, and which they are resolved to contend for to the last extremity, are equal legal privileges to go where they choose with their possessions.

We shall endeavor to furnish in a condensed form, such a view of this subject as can be obtained from the Congressional manifestations within the last month.

In answer to a call made by the House of Representatives for information respecting the new territories, the President transmitted to that body, on the 21st of January, a special Message, which he begins by saying, that in coming into office and finding the military commandant of the department of California exercising the functions of a civil governor, he had thought it best not to disturb the arrangement that had been made by his predecessor, until Congress should take some action on the subject. With a view to the faithful execution of the treaty, so far as lay in the power of the Executive, and to enable Congress to act at the present session, with as full knowledge and as little difficulty as possible, on all matters of interest in those territories, he sent the Honorable Thomas Butler King, as bearer of despatches to California, and certain officers to California and New Mexico. He proceeds to say:

"I did not hesitate to express to the people of those Territories my desire that each Territory should, if prepared to comply with the requisitions of the constitution of the United States, form a plan of a State constitution, and submit the same to Congress, with a prayer for admission into the Union as a State; but I did not anticipate, suggest, or authorize the establishment of any such government without the assent of Congress, nor did I authorize any government agent or officer to interfere with or exercise any influence or control over the election of delegates, or over any convention, in making or modifying their domestic institutions, or any of the provisions of their proposed consti-

tution. On the contrary, the instructions given by my orders were that all measures of domestic policy adopted by the people of California must originate solely with themselves; that while the Executive of the United States was desirous to protect them in the formation of any government republican in its character, to be at the proper time submitted to Congress, yet it was to be distinctly understood that the plan of such a government must at the same time be the result of their own deliberate choice, and originate with themselves, without the interference of the Executive.

"In advising an early application by the people of these Territories for admission as States, I was actuated principally by an earnest desire to afford to the wisdom and patriotism of Congress the opportunity of avoiding occasions of bitter and angry discussions among the people of the United States.

"Under the constitution, every State has the right of establishing, and from time to time altering, its municipal laws and domestic institutions, independently of every other State and of the general government, subject only to the prohibitions and guaranties expressly set forth in the constitution of the United States. The subjects thus left exclusively to the respective States were not designed or expected to become topics of national agitation. Still, as under the constitution, Congress has power to make all needful rules and regulations respecting the Territories of the United States, every new acquisition of territory has led to discussions on the question whether the system of involuntary servitude which prevails in many of the States should or should not be prohibited in that Territory. The periods of excitement from this cause which have heretofore occurred have been safely passed; but during the interval, of whatever length, which may elapse before the admission of the Territories ceded by Mexico as States, it appears probable that similar excitement will prevail to an undue extent.

"Under these circumstances, I thought, and still think, that it was my duty to endeavor to put it in the power of Congress, by the admission of California and New Mexico as States, to remove all occasion for the unnecessary agitation of the public mind.

"It is understood that the people of the western part of California have formed a plan of a State constitution, and will soon submit the same to the judgment of Congress and apply for admission as a State. This course on their part, though in accordance with, was not adopted exclusively in consequence of any expression of my wishes, inasmuch as measures tending to this end had been promoted by the officers sent there by my predecessor, and were already in active progress of execution before any communication from me reached California. If the proposed constitution shall, when submitted to Congress, be found to be in compliance with the requisitions of the constitution of the United States, I earnestly recommend that it may receive the sanction of Congress.

"The part of California not included in the proposed State of that name is believed to be uninhabited, except in a settlement of our countrymen in the vicinity of Salt Lake.

"A claim has been advanced by the State of

Texas to a very large portion of the most populous district of the Territory, commonly designated by the name of New Mexico. If the people of New Mexico had formed a plan of a State government for that Territory, as ceded by the treaty of Guadalupe Hidalgo, and had been admitted by Congress as a State, our constitution would have afforded the means of obtaining an adjustment of the question of boundary with Texas by a judicial decision. At present, however, no judicial tribunal has the power of deciding that question, and it remains for Congress to devise some mode for its adjustment. Meanwhile I submit to Congress the question, whether it would be expedient before such adjustment to establish a territorial government, which, by including the district so claimed, would practically decide the question adversely to the State of Texas, or, by excluding it, would decide it in her favor. In my opinion, such a course would not be expedient, especially as the people of this Territory still enjoy the benefit and protection of their municipal laws, originally derived from Mexico, and have a military force stationed there to protect them against the Indians. It is undoubtedly true that the property, lives, liberties, and religion of the people of New Mexico, are better protected than they ever were before the treaty of cession.

"Should Congress, when California shall present herself for incorporation into the Union, annex a condition to her admission as a State affecting her domestic institutions contrary to the wishes of her people, and even compel her temporarily to comply with it, yet the State could change her constitution at any time after admission, when to her it should seem expedient. Any attempt to deny to the people of the State the right of self-government in a matter which peculiarly affects themselves will infallibly be regarded by them as an invasion of their rights; and, upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of American people. To assert that they are a conquered people, and must, as a State, submit to the will of their conquerors, in this regard, will meet with no cordial response among American freemen. Great numbers of them are native citizens of the United States, and not inferior to the rest of our countrymen in intelligence and patriotism; and no language of menace to restrain them in the exercise of an undoubted right, substantially guarantied to them by the treaty of cession itself, shall ever be uttered by me, or encouraged and sustained by persons acting under my authority. It is to be expected that, in the residue of the territory ceded to us by Mexico, the people residing there will, at the time of their incorporation into the Union as a State, settle all questions of domestic policy to suit themselves.

"No material inconvenience will result from the want, for a short period, of a government established by Congress over that part of the territory which lies eastward of the new State of California; and the reasons for my opinion that New Mexico will, at no very distant period, ask for admission into the Union are founded on unofficial information, which, I suppose, is common to all who have cared to make inquiries on that subject.

"Seeing, then, that the question which now excites such painful sensations in the country, will, in the end, certainly be settled by the silent effect of causes independent of the action of Congress, I again submit to your wisdom the policy recommended in my annual message of awaiting the salutary operation of those causes, believing that we shall thus avoid the creation of geographic parties, and secure the harmony of feeling so necessary to the beneficial action of our political system. Connected as the Union is, with the remembrance of past happiness, the sense of present blessings, and the hope of future peace and prosperity, every dictate of wisdom, every feeling of duty, and every emotion of patriotism, tend to inspire fidelity and devotion to it, and admonish us cautiously to avoid any unnecessary controversy which can either endanger it or impair its strength, the chief element of which is to be found in the regard and affection of the people for each other.

"Z. TAYLOR.

"Washington, January 21, 1850."

SENATE.

On the 16th of January, Mr. FOOTE, a Senator from Mississippi, who has made himself conspicuous by his ultra Southern doctrines, his apparent anxiety to settle the slave question before any other business shall engage the attention of Congress, and by degrading the Senate Chamber into a theatre for a kind of charlatan oratory, introduced a Bill to "provide for the organization of a Territorial Government in California, Deseret, and New Mexico, and to enable the people of Jacinto, with the assent of the State of Texas, to provide a Constitution and State Government, and for the admission of such State into the Union, upon an equal footing with the original States, in all respects whatever."

On the 22d, the same subject came up as the order of the day, when Mr. CASS delivered a very long and elaborate speech, which occupied the greater part of the time for two days. There are two principal questions, he said, in the controversy respecting the Wilmot Proviso, as indeed there are in all the legislation of Congress: first, whether the measure is constitutional; and next, if constitutional, whether it is expedient. He proposed chiefly to argue the constitutional question, though, before closing, he should offer a few remarks on the expediency of exercising the power, provided the power exists.

In the discussions which have taken place on the subject, formerly and recently, all those who have contended for the power of Congress to pass this Wilmot Proviso, have contended for a general and unlimited power of legislation over the Territories. The right to institute governments, and the right to legislate over their internal concerns, are used as convertible terms. This is true, both in Congress, and on the judicial bench. He quotes

from Sargent, Story, Rawle, and others, who entertain this opinion. It was precisely this claim of unlimited legislation which led to our separation from England. He had listened, he said, with amazement to the long and subtle metaphysical inquiries into the rights of sovereignty, and the powers it brings with it, as if the rights of sovereignty were everything, and the rights of man nothing.

A great principle is involved in this controversy—the inseparable connection between legislation and representation. And what paramount necessity calls for its violation? Are not the people of the territories competent to manage their own affairs? Are they not of us, and with us? The same people, with the same views, habits, and intelligence—all, indeed, which constitutes national identity? Cannot such a people administer their own government safely and wisely? Experience says they can. It is clear there is no necessity for Congress to legislate for the Territories. They have never legislated exclusively, and the very few instances of the exercise of such a power upon the statute-book, were not only unconstitutional, but were acts of supererogation.

He considered that it was no objection to the application of this argument to the new Territories, to say, that they contained a very large foreign population, who were ignorant of our political institutions; for, he thought, in all of them there would be a majority of the active population, who are American citizens, emigrants from the older States, that would exercise a preponderating influence on all public affairs. He then referred to the late proceedings in California for organizing a Government, as an evidence of their ability to manage their own concerns, and of their devotion to republican principles.

There is no clause in the Constitution, giving Congress express power to pass any law respecting slavery in the Territories. Every construction which would give to Congress such a power, would equally give it jurisdiction over every department of life, social and political; over the relations of husband and wife, of parent and child, as well as over the relations of master and servant; it would embrace the whole circle of human rights—life, liberty, and property—in all their various modes of enjoyment. If Congress possesses the power to abolish or exclude slavery, it has the power to institute it. If, as many speakers contend, said Mr. C., this right of Congress is derived from that clause of the constitution, which provides "that Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory and other property belonging to the United States," then is the phraseology employed but little creditable to

the person who prepared it, or to the body who adopted it. Those who assume that this phrase, so limited, confers a power so unlimited, are bound to explain why similar language was not used to grant similar power, in other parts of the same instrument. No man has done this—no man has attempted to do it; and it is an obstacle, *in limine*, which, till removed, is insuperable. He then enumerates a dozen other provisions of the Constitution, under which different persons have sought to justify the exercise of this power. Among these are the war and treaty-making powers; the right to admit new States; the right to sell the public lands; the right of ownership; the right or duty of settlement; the right of sovereignty; the nature of government; nationality; the principles of agency and trust, &c.

Much of the confusion, he said, which accompanies this subject, has arisen from the use we now make of the word "*territory*" by applying it to those political communities which are organized under the name of Territorial Governments, and considering it as so applied in the Constitution. He argued that the term originally designated the public domain, or *land*, and had merely a geographical meaning, and not a political one; and he refers to Acts of Congress of 1785 and 1787, in which it was repeatedly so considered and used. In the ordinance providing for the Government of the Western territory, it was in many places denominated a "*district*." Had those local communities, which we now call territories, preserved the term *district*, as descriptive of their political organization, we should probably never have heard of the extended construction now given to this power of *making needful rules for territory or land, and other property*. The use of the term *territory* was unknown in its present sense, at the time of the adoption of the constitution. He maintained that *territory*, as it is employed in the constitution, means *property*, and that the clause already quoted, gives no right of legislation for the inhabitants. He arrayed many eminent authorities who have taken the opposite ground, and endeavored to show the fallacy of their reasonings. He combated every right to legislate for the territories supposed to be supported by constitutional authority, in an argument of great length—evincing much research and ingenuity. The whole constitutional part of the speech may be summed up in the statement, that the constitution confers on Congress no power of any kind to give laws to the people inhabiting a territory; that it does not even confer the right to organize a government or do any other act of sovereignty; and, that if Congress may exercise such a right at any time or under any circumstances, it is not derived from the organic laws,

but from the *necessity* of circumstances. The power to interfere, in any manner, is not one that can be justified by the plain provisions of the constitution, but only by moral reasons that render some form of government essential to the happiness and well-being of the people who are living without law or order. If Congress ventures to take even this step, it does it at its own peril, and must throw itself upon the people to obtain indemnification for thus exceeding its legitimate authority.

He then proceeded to examine the expediency of passing the Wilmot Proviso. There are at least, said he, fourteen States in the Union which see in this measure a direct attack upon their rights, and disregard of their feelings and interests. No man can shut his eyes to the excitement which prevails there,—manifested in legislative proceedings, popular assemblies, and in every way that can express public opinion—or be insensible to the evil day that is upon us. He believed that the Union would survive all the dangers with which it might be menaced, and that it is not destined to perish until long after it shall have fulfilled the great mission confided to it, that of example and encouragement to the nations of the earth who are struggling with the despotism of centuries, and groping their way in a darkness once impenetrable, but where the light of knowledge and freedom is beginning to disperse the gloom. Sad will be the day when the first drop of blood is shed in the preservation of this Union. That day need never come, and never will come, if the same spirit of compromise and concession by each to the feelings of all, which animated our fathers, continues to animate us and our children. As a mere practical question, is the legislative adoption of this Proviso worth the hazard at which alone it can be secured? There should be great advantages, inestimable indeed, to be gained, before such a measure is forced upon the country. No good, under the most favorable circumstances, could result from this Congressional interference with the rights of the people of the Territories. Can slavery go there if left without this prohibition? There are very few persons anywhere who think it can. Considerations of profit would control the question. The contest is not worth the cost. The Proviso is urged on the ground of its expediency. It is opposed upon the ground of its unconstitutionality. Those who urge it may well abandon it when circumstances show that the measure is dangerous in itself, or profitless in its result. Mr. Cass concluded by saying, that he was precluded from voting in conformity with his opinions. He had been instructed by the Legislature of Michigan to vote in favor of the measure, and he was a believer in the doctrine of instructions, when fairly exercised and under proper circumstan-

ces. When the time comes that he should be required to vote upon the question, as a practical one, in a bill providing for a Territorial Government, he should know how to reconcile his duty to the Legislature and duty to himself, by surrendering a trust that he could no longer fulfil.

On the 29th of January, Mr. CLAY presented himself before the Senate in the same character in which he appeared thirty years ago—the pacificator between the slave and the free States—and introduced the following Resolutions, accompanying each one with proper explanatory remarks:

1st. *Resolved*, That California, with suitable boundaries, ought upon her application to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries.

2d. *Resolved*, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the Republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into or exclusion from any part of the said territory; and that appropriate Territorial Governments ought to be established by Congress in all of the said territory, not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.

3d. *Resolved*, That the western boundary of the State of Texas ought to be fixed on the Rio del Norte, commencing one marine league from its mouth, and running up that river to the southern line of New Mexico; thence with that line eastwardly, and so continuing in the same direction to the line as established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.

4th. *Resolved*, That it be proposed to the State of Texas that the United States will provide for the payment of all that portion of the legitimate and *bona fide* public debt of that State contracted prior to its annexation to the United States, and for which the duties on foreign imports were pledged by the said State to its creditors, not exceeding the sum of \$——, in consideration of the said duties so pledged having been no longer applicable to that object after the said annexation, but having thenceforward become payable to the United States; and upon the condition also that the said State of Texas shall, by some solemn and authentic act of her Legislature, or of a convention, relinquish to the United States any claim which it has to any part of New Mexico.

5th. *Resolved*, That it is inexpedient to abolish slavery in the District of Columbia, whilst that institution continues to exist in the State of Maryland, without the consent of that State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.

6th. *But resolved*, That it is expedient to pro-

hibit within the District the slave-trade, in slaves brought into it from States or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets without the District of Columbia.

7th. *Resolved*, That more effectual provision ought to be made by law, according to the requirement of the constitution, for the restitution and delivery of persons bound to service or labor in any State, who may escape into any other State or Territory in the Union.

And 8th. *Resolved*, That Congress has no power to prohibit or obstruct the trade in slaves between the slave-holding-States, but that the admission or exclusion of slaves brought from one into another of them, depends exclusively upon their own particular laws.

Although Mr. C. desired, on submitting these Resolutions, to avoid bringing on a general debate, and proposed that they should be made the order of the day, some days ahead, when he intended to enter into a more elaborate argument than he designed on that occasion, there was, nevertheless, a pretty sharp onset made upon them by several members from the South, and some undue warmth of language was indulged in.

Mr. FOOTE and Mr. DAVIS, the two Senators from Mississippi, were particularly vehement in their onset, and most eager to engage in the conflict. Mr. MASON, Mr. RUSK, Mr. KING, Mr. DOWNS, Mr. BERRIEN, and Mr. BUTLER, all from the slave States, thought it necessary, lest their silence might be construed into an assent, to interpose their objections without any delay. Passing by the first speech, we shall offer a sketch of the second,—the more elaborate one,—that was delivered on the 5th of February, when the Resolutions came up in order.

Mr. CLAY began by saying that never, on any former occasion, had he risen under feelings of such painful solicitude. He had witnessed many periods of great anxiety, of peril, and of danger in this country, but never before had he risen to address any assemblage so oppressed, so appalled, and so anxious. He had, again and again in his chamber, implored Him, who holds the destinies of nations, as of individuals, in his hands, to bestow upon our country his blessing, to calm the violence and rage of party, to still passion, and to allow reason once more to resume its empire; and he hoped it would not be out of place to make the same supplication there. He attributed all the present dangers and difficulties to party-spirit, that was busy in the North, the South, in Congress, and in State Legislatures. The House of Representatives had felt its influence so strongly, that it had spent a whole week this very session, in the vain endeavor to elect a door-keeper, and the only question was, whether he entertained

opinions upon certain great national measures, coincident with this or that side of the House. Nearly eight years since he had taken his final leave, as he had supposed, of the Senate. He had not conceived the possibility of his ever returning to it, and if his private wishes and inclinations, his desire, during the short remnant of his days, to remain in repose and quiet, could have prevailed, he would not be seen occupying the seat which he now occupies on that floor. But the Legislature of the State to which he belonged, unsolicited, had re-elected him; and he had come there in obedience to a sense of stern duty, with no personal objects, no private views, now or hereafter, to gratify. He begged to assure all who might hear him, or any persons out of the Capitol, who hope in the race for honors and elevation, for higher honors and higher elevation, that he, at least, would never interfere with them in their pursuits; and if his wishes could prevail, his name should never be used in competition. When his service was terminated in that body, his mission, so far as respects the public affairs of this world, and upon this earth, would be closed, he hoped, forever. It is impossible not to perceive that party-spirit affects all our affairs. At the moment when the White House is itself in danger from conflagration, instead of all hands uniting to extinguish the flames, we are contending about who shall be its next occupant. It is passion—passion, party, party, and intemperance, that he dreaded in the adjustment of the questions, which unhappily divide our distracted country. At this moment, besides the legislative bodies of the Capitol, there are twenty-odd furnaces in full blast, emitting heat, and passion, and intemperance. Two months ago all was calm, in comparison with the present. Now, all is uproar, confusion, and menace to the existence of the Union, and to the happiness of this people. He conjured senators, by all their hopes now and hereafter, to repress the ardor of these passions, to listen to the voice of reason. He had cut himself off, he said, from all the usual enjoyments of society during this whole session, and had confined himself, almost entirely, to his own chamber, anxiously meditating on some plan of accommodation, which would restore the blessings of concord, harmony, and peace to this great country.

The first Resolution relates to California. There is no concession by either party. If slavery is interdicted within the limits of California, it is done by California herself, and not by Congress; and has it not been the doctrine of all parties, that when a State is about to be admitted into the Union, it has a right to decide for itself, whether it will or not tolerate slavery within its boundaries. He then referred to the introduction of Missouri

into the Union. The great argument used by those contending for its admission was, that she had all the rights of any pre-existing State, and was legally as competent to decide whether she should have slavery or not as New York, or any other of the old thirteen were. No one doubts now that those Northwestern States to which the ordinance of 1787 applied, have just as much right to introduce slavery within their borders, as Virginia has to maintain the existence of it within hers. If, then, in the struggle for empire between the two classes of States, a decision in California has taken place, adverse to the wishes of the South, it is a decision respecting which they can utter no complaint towards the General Government, for it is made by California, who unquestionably had the constitutional right to make it.

Respecting the second resolution, he said he knew that every one of the free States in this Union, without exception, had by its legislative body, passed resolutions instructing their Senators and requesting their Representatives to have the restriction of the Wilmot Proviso incorporated in any Territorial Government which might be established under the auspices of Congress. He knew how much they had set their hearts upon the adoption of this measure. In the second resolution he asked them, for the sake of peace, and in the spirit of mutual forbearance to the other members of the Union, to give it up. As a compensation for doing so, he felt bound to offer something in return, though it was not by any means an equivalent. What he offered was what he considered two indisputable truths; the first is, that slavery no longer exists, by law, in any part of the acquisitions made by us from Mexico; and the second is, that according to all the probabilities of the case, slavery never will be introduced into any portion of the territories so acquired from Mexico. It is said that these two are tantamount to the Wilmot Proviso. But he did not think so, as the one was a positive enactment prohibiting it, while the other was the simple expression of an opinion. He then adverted to the condition of the territory while it was still Mexican. At that time, slavery had been formally abolished, whether regularly done or not was no question for this Government to settle. The last act of Mexico, when arranging for a surrender of jurisdiction, showed the abhorrence with which she would regard the introduction of slavery into any portion of the territory that she should cede away. This was sufficient, he thought, to prove that slavery does not exist there by law, unless slavery was carried there the moment the treaty was ratified by the two parties, under the operation of the Constitution of the United States. This idea he declared was irreconcilable with any comprehension of rea-

son that he might possess. How can it be argued that the fifteen slave States, by the operation of the Constitution, carried into the ceded territory their institution of slavery, any more than it can be argued, on the other side, that by the operation of the same Constitution, the fifteen free States carried into the ceded territory their principles of freedom. Suppose, said he, that we had obtained the new territory with slavery existing in it, in fact and in law, would gentlemen from the slave States patiently listen to any argument which undertook to show that, notwithstanding this fact, the Constitution of the United States abolished it the moment it took effect over that country? The argument was just as good for one side as the other. Amid the conflict of interests, principles, and legislation, which prevails in the two parts of the Union, can you come to any other conclusion than that which I understand to be the conclusion of the public law of the world, of reason, and justice, that the *status* of law, as it existed at the moment of the conquest or the acquisition, remains until it is altered by the sovereign authority of the conquering or acquiring power? This is the established public law of the world. The laws of Mexico, as they prevailed at the time of the cession, remained the same until and unless they were altered by that power which had newly obtained sovereign rights over it.

Mr. CLAY then noticed the general power which appertains to the Government on the subject of slavery. Congress has no power, under the Constitution, to touch slavery *within* the States, except in the three specified particulars in that instrument, viz: to adjust the subject of representation, to impose taxes when a system of direct taxation is made, and to perform the duty of surrendering fugitive slaves that may escape from service which they owe in slave States, and take refuge in free States. If, said he, Congress were to attack, within the States, the institution of slavery for the purpose of its extinction, then would his voice be for war, for then would there be a case which would justify, in the sight of God, and in the presence of the nations of the earth, resistance to such an unconstitutional and usurped attempt. Then should the slave States be acting in defence of their rights, property, safety, lives; and then, if unfortunately civil war should break out, and there should be presented to the nations of the earth the spectacle of one portion of this Union endeavoring to subvert an institution in violation of the Constitution and the most sacred obligations that can bind men, the slave States would have the sympathies of all men who love justice and truth. Far different would be our case if the same fearful condition should arise from an attempt to carry slavery into the new territories acquired from Mexico.

We have all read of the efforts made by France to propagate on the continent of Europe not slavery but the rights of man. If a civil war should break out in this country in the strife to establish slavery on the one hand, and to prevent it on the other, in the territories where it does not exist, what a scene would be exhibited to the contemplation of mankind? It would be a war in which we, of the slave States should have no sympathy, no good wishes, and in which all the world would be against us, for, from the commencement of the revolution down to the present time, we have constantly reproached our British ancestors for introducing slavery into this country; and it is one of the best defences which can be made for the institution that it was forced on this country against the wishes of the inhabitants.

He declared his belief that Congress has power over slavery in the territories, and referred to the argument of Mr. CASS in opposition to this view. When a point is settled, said he, by all the elementary writers of our country, by all the departments of our Government, legislative, executive, and judicial, when it has been so settled for a period of fifty years, and never was seriously disturbed till recently, then if we are to regard anything as fixed and settled, should this question be, which has been always decided in a particular way. The power of Congress over this subject he derived both from the right to regulate the territories and other property of the United States, and the right to make treaties. When our Constitution was written, the whole country northwest of the Ohio river was unpeopled. Is it possible that Congress had no right whatever, after it had become national property, to declare what description of settlers should occupy the public lands? If they had supposed that the introduction of slavery would enhance their value, would they not have had the right to say, in regulating the territory, that any one who chooses, may bring slaves to clear and cultivate the soil, &c.? Or, suppose that Congress might think that a greater amount of revenue would be derived from the waste lands beyond the Ohio river by the interdiction of slavery, would they not have a right to interdict it? The exercise of the power to make Governments for territories is temporary, and it ceases whenever there is a sufficient population for self-government. Sixty thousand is the number fixed by the ordinance of 1787. The first settlement of Ohio was about Marietta, and contained two or three hundred people from New England. Cincinnati was the next point, and was settled by a few persons from, perhaps, New Jersey. Did those few persons, the moment they arrived there, acquire sovereign rights, and had they power to dispose of these territories? Had they even

power—a handful of men established at Marietta or Cincinnati—to govern themselves? The Constitution no doubt contemplates that, inasmuch as the power is temporary, the Government who owns the soil may, through Congress, regulate the settlement of the soil, and govern the settlers, until they acquire numbers and capacity to govern themselves.

The power of Congress to introduce or to exclude slavery in the ceded territory he finds in the acquiring, or treaty-making provision of the Constitution. Such a power exists somewhere. It existed—no one will deny it—in Mexico prior to the cession of these territories, and when Mexico made the transfer of territory to the United States, she also transferred her sovereignty. What Mexico alienated, the United States received. This Government then possesses all the power now that formerly was possessed by Mexico over the ceded country, and can do, within the limits of the Constitution, what Mexico could have done. On this subject there is no limitation which prescribes the extent to which the powers shall be exercised. Although, in the Constitution, there is no grant of power to Congress, in specific terms, over the subject of slavery, yet the same is true over a great variety of matters over which Congress may unquestionably operate. The general grant of power comprehends all the elements of which that power consists. If there be a power to acquire, there must be a power to govern. From the two sources of power to which he had referred, and especially the last, did Congress obtain the right to act in the territories in question, and he considered the right sufficient either to permit or prohibit in them the introduction of slavery.

As respects what he calls the second truth, what are the facts, said Mr. C., that have occurred within the last three months? California,—where, if any where, slavery would most probably have been introduced in the new territories—California, herself, has declared, by the unanimous vote of her Convention, against the importation of slavery within her limits, and that Convention was composed of persons from the slave-holding as well as from the free States. California has thus responded to the opinion contained in the resolution. The mountain-region of New Mexico,—the nature of its soil—its unproductive character, every thing relating to it—every thing that we hear about it—must necessarily lead to the conclusion that slavery is not likely to be introduced there. If these are truths, said Mr. CLAY, why hesitate to promulgate them? Senators coming from the free States, said he, when this Wilmot Proviso was disseminated through your States, and your people and yourselves became seriously attached to it, you apprehended the introduc-

tion of slavery into California. You did not know much,—very few of us heard much of these territories, and owing to this want of information, the whole North blazed up in behalf of a prohibition. You left your constituents under this apprehension. When you left your residences, you did not know that a Constitution had been adopted by the people of California excluding slavery from that country. If what we all know now, had been known in the free States two years ago—if all the present excitement and danger, as well as the probability that slavery will never be conveyed to those territories had then been known, do you believe that the agitation on the Proviso would ever have reached the height that it has attained? Do any of you believe it? And if, before leaving your homes, you had had an opportunity of conferring with your constituents upon this most leading and important fact—of the adoption of a Constitution excluding slavery in California—do you not believe, Senators and Representatives coming from the free States, that if you had had the advantage of that fact told in serious, calm, fire-side conversation with your constituents, they would not have told you to come here and settle all these disturbing questions without danger to the Union?

What do you want?—what do you want?—you who reside in the free States. Do you want that there shall be no Slavery introduced into the territories acquired by the war with Mexico? Have you not your desire in California? And in all human probability you will have it in New Mexico also. What more do you want? You have got what is worth more than a thousand Wilmot Provisos. You have nature itself on your side—fact itself on your side—and this truth staring you in the face, that there is no slavery in those territories. If you are not mad, if you can elevate yourselves from the struggles of party to the height of patriots in every sense, what will you do? Look at the fact as it exists. You will see that this fact was unknown to the great majority of the people; you will see that they acted upon one set of facts, while we have another set of facts before us; and we will act as patriots—as responsible men, and as lovers of liberty, and lovers, above all, of this Union. We will act upon this set of facts that were unknown to our constituents, and appeal to their justice and magnanimity to concur with us in this action for peace, concord, and harmony.

Mr. CLAY then passed to the resolutions relating to Texas. He considered this question as the most difficult with which Congress had to deal, because it was one of boundary. The North would probably be anxious to contract Texas within the narrowest possible limits, in order to diminish the theatre of slavery, while

the South would entertain an opposite wish for an opposite reason. By the resolution of annexation, slavery was interdicted in all the country north of 36 deg. 30 min. There is, therefore, boundary and slave territory mixed together in the settlement of this perplexity. The state of things now existing in New Mexico renders it necessary that we decide this matter the present session. There is a feeling approximating to abhorrence on the part of the people of New Mexico, at the idea of any union with Texas. If these questions are not settled, I think they will give rise to future confusion there, and agitation here. The Wilmot Proviso will still be insisted on in the North, and we shall absolutely have done nothing, if we fail to provide against the recurrence of these dangers. He read an extract from the instructions to their Delegate to Congress, adopted by the Convention of the Territory of New Mexico, held at the city of Santa Fé, in September, 1849. The extract sets forth the deplorable condition of the country, from want of an efficient government, which government they represented as undefined and doubtful in its character, and they looked to the Congress of the United States for effectual protection against all the ills they complain of. After dwelling at some length on the necessity of furnishing the people of New Mexico with a government, and taking them under Congressional protection, he directed his argument entirely to the boundary of Texas. He alleged that the western and northern borders were unsettled at the period of annexation, and quoted the resolution of annexation in proof, which says: "said State to be formed, subject to the adjustment of all questions of boundary that may arise with other Governments, and the Constitution thereof," &c. That is to say, she was annexed with her rightful boundaries, without a specification of them; but inasmuch as the boundaries at the west and north were unsettled, the Government of the United States retained to itself the power of deciding with any foreign nation what the boundary should be. Suppose, said he, that at the conclusion of the war, the negotiations between Mexico and the United States had been confined to fixing the northern and western boundaries of Texas, could not the two countries have done it conjointly? Whatever may have been the boundary decided on, if it had been the Neuces, or even the Colorado, on the west, by the very terms of the annexing resolutions, Texas would have been bound by the decision. He then argued that if the two nations could have thus adjusted the limits, the United States is competent now to do it alone, for she has acquired, by the treaty, all the rights which Mexico possessed in that territory, which must form its western and northern borders. Mr. CLAY insisted, at some length, that the

United States has *full power* to settle the undecided boundaries. He admitted that it was a delicate power, and it ought to be exercised in a spirit of justice, liberality, and generosity towards the youngest member of the great American family. He thought that if Congress should fix a boundary, which, in the opinion of Texas, was adverse to her rights, it was possible the question might be carried into the Supreme Court, for a new adjudication—he, however, conceived there were certain matters too momentous for any tribunal of that kind to try. He alluded to the fifteen millions paid for territory. Texas cannot fairly come into the Union, and claim all that she has asserted a right to, without paying some portion of the sum which constituted the consideration of the grant by the ceding nation. She talks about the Government of the United States being her agent, but she was no more her agent, than she was the agent of the twenty-nine other States. Mr. CLAY then urged that what he proposed as the boundary, was liberal, and gave Texas a vast country to which she could not establish any undisputed title—a country, almost equal in extent to what she *actually* possessed before, and large enough to form two or three additional States. In addition, he proposed to pay off not less than three millions of the debt of Texas, that accrued before she came into the Union. Indeed, he thought the United States should, in justice, pay the debt for which Texas had pledged her custom's revenues, when she was authorized so to do by virtue of her sovereignty; and the Government of the United States, having appropriated those revenues to itself, as a just power, was bound to pay the debt for which those duties were assigned. He concluded this part of his argument by expressing a conviction that all the motives he presented to Texas were so liberal, that he should be greatly disappointed if the people of that State themselves, when they come to deliberate, hesitated a moment to accept the offers.

Mr. CLAY contended that Congress possessed the constitutional right to abolish slavery in the District of Columbia, and he quoted that part of the constitution which gives to Congress "exclusive legislation" over it. The power exists somewhere. "Suppose," said he, "that slavery was abolished in Maryland, or in all the States of the Union, is there then no power to abolish slavery here, or is it planted here to all eternity, without the possibility of the exercise of any legislative power for its abolition? It cannot be vested in Maryland, because the power with which Congress is invested is exclusive. Maryland, therefore, cannot do it, and so all the other States of the Union, individually, cannot do it. The power is here or it is nowhere." He reviewed the course he took in 1838, and showed that the

ground he took then was consistent with his present position. But when Virginia and Maryland ceded the District to the General Government, there was an implied understanding that the subject would not be interfered with without their consent. Congress, therefore, cannot, without the forfeiture of all those obligations of honor which men of honor and nations of honor respect, disturb the institution of slavery in the District of Columbia. By the retrocession, however, of so much of the ten miles square as belonged to Virginia, Maryland is the only State now that we are bound to consult. If Maryland should give her consent, the consent of the people residing in the District should also be obtained, and this being given, then the owners of slaves have the right to look for compensation. These are the three conditions of the resolution. There is a clause in one of the amendments of the Constitution, which declares that no private property shall be taken for public use without just compensation being made to the owner. Literally, he said, it may be that the property would not be taken for the *public use*, but it would be taken in consideration of a policy and purpose adopted by the public, and, by a liberal interpretation of the clause, it ought to be so far regarded as taken for the public as to demand compensation. If it is denied that this clause is a restriction on Congress, then is there no restriction of any kind, except the great one of the obligation of justice. The North have the Constitution in their favor—the South have expediency and honor in theirs. The resolution asks of both parties to forbear urging their respective opinions—the one to the exclusion of the other, but it concedes to the South all that the South ought to demand, inasmuch as it requires such a condition as amounts to an absolute security for property in slaves in the District, and which will probably make the existence of slavery in the District co-eval with its existence in any of the States out of and beyond it. He then insisted that the slave trade ought to be abolished. The introduction of slaves in Kentucky, Mississippi, and in many other of the States, is prohibited. It is a right belonging to each State. It also belongs, in an equal degree, to the United States in the District, and there had been, he said, no time in his public life when he was not willing to concur in the abolition of the slave trade in the District. Why should slave-traders, who buy their slaves in Maryland or Virginia come here with them in order to transport them further South? Why are the feelings of citizens here outraged by the scenes exhibited, and the corteges which pass along our avenues of manacled human beings brought from the distant parts of neighboring States? Who is there having a heart that does not contemplate a spectacle of that

kind with horror and indignation? This is an object in which both the free and the slave States should unite, and which one side as well as the other should rejoice in effecting, as it would lessen one of the causes of inquietude which is connected with this District.

He then took up the next resolution, and declared that he would go as far as him who went the farthest for this clause of the Constitution. He held that the Constitution required every man to assist in recovering fugitive slaves; and the obligation was especially binding, as in cases of fugitives from justice—upon all officers of the several States, who had taken an oath to support the Constitution of the United States. The Constitution applies precisely the same language to both classes of fugitives. He then alluded to a recent decision of the Supreme Court, and said he thought that that decision had been misapprehended. The true meaning was that any State laws which acted as an impediment to the recovery of fugitive slaves were contrary to the Constitution. It is, however, only fulfilling the duties imposed by the Constitution, for States to enact laws which may afford facilities for the more perfect observance of the obligations imposed by the Federal fundamental law. He thought that the whole class of legislation, beginning in the Northern States, and extending to some of the Western, by which obstructions have been placed in the way of recovering fugitive slaves, is unconstitutional. He then referred to the difficulties and losses of Kentucky in consequence of living contiguous to Ohio. He believed that the slave States had just cause of complaint on this score. It is no mark of good neighborhood, of kindness, or of courtesy, that a man living in a slave State cannot now, with any sort of safety, travel in the free States with his servants. On this subject, the legislation of the free States, within the last twenty years, has altered greatly for the worse. There used to be laws guaranteeing to the sojourner the possession of his property during his temporary abode or passage in a State, when there was no intention of residing permanently in the Commonwealth. He complained strongly of this unkindness, and alluded to circumstances that had occurred in his own family. The existing law for the recovery of fugitive slaves being found inadequate, he thought it was incumbent on Congress to do something to remove this subject of complaint by making the law more effective.

But, said he, I do not think that the States, as States, ought to be responsible for all the misconduct of individuals, and the doctrines they propagate, unless the State itself adopts the doctrines. He then referred to the circumstances under which Massachusetts repealed

her laws for the restitution of slaves, and he considered it was an act of retaliation, because an agent of the State, Mr. Hoar, had been driven from Charleston, whither he had gone to protect the rights of negroes from Massachusetts, whom she regarded as citizens.

After making a remark or two on the last resolution, Mr. CLAY sketched a history of the Missouri compromise, and of the agency he had had in effecting that important measure. Then, as now, the Union seemed to be in danger, and now, as then, all difficulties may be settled, if men will only allow cool reason and judgment to rule. He then drew a glowing picture of the growth and grandeur of the country—of its wonderful increase in population and in all the elements of power, and of its successful wars. "Sir," he said, "our prosperity is unbounded; nay, I sometimes fear that it is in the wantonness of that prosperity that many of the threatening ills of the moment have arisen; there is a restlessness existing among us which I fear will require the chastisement of Heaven to bring us back to a sense of the immeasurable benefits and blessings which have been bestowed upon us by Providence. At this moment—with the exception of here and there a particular department in the manufacturing business of our country—all is prosperity and peace, and the nation is rich and powerful, and if it does not awe, it commands the respect of the powers of the earth, with whom we come in contact." He then pointed to the history of the great public measures of the country, and showed that Southern influence had generally prevailed in the councils of the nation; and the three great acquisitions of territory, those of Louisiana, of Florida, and of Texas, have almost wholly redounded to the benefit of the South. The South have no reason to complain, as they have constantly been the gainers, and now, after all this, "I put it," said he, "to the hearts of my countrymen of the South, if it is right to press matters to the disastrous consequences—extending to a dissolution of the Union—which have been indicated, on this very morning, on the presentation of certain resolutions?" If the Union is dissolved, for any existing cause, it will be because slavery is not allowed in the ceded territories, or because it is threatened to be abolished in the district of Columbia, or because fugitive slaves are not restored to their masters. If the Union is dissolved, can you of the South carry slavery into California and New Mexico? You cannot dream of such an occurrence. Are you in any way benefitted by the separation? Where one slave escapes now, hundreds and thousands would escape, if the Union were dissevered. War and dissolution are identical and inevitable. If the Union were dissolved by mutual consent, still war

would follow in less than sixty days, (in consequence of the border difficulties respecting fugitive slaves,) in every part of this now happy and peaceable land. It was his opinion that, in the event of a separation, we should begin with at least three distinct Confederacies,—one of the North, one of the Southern Atlantic slave-holding States, and a Confederacy of the Valley of the Mississippi; and, subsequently, there would be many more growing out of these. He concluded his speech in the following patriotic and thrilling strain:

"Sir, I have said that I thought there was no right on the part of one or more States to secede from the Union. I think so. The constitution of the United States was made not merely for the generation that then existed, but for posterity—unlimited, undefined, endless, perpetual posterity. And every State that then came into the Union, and every State that has since come into the Union, came into it binding itself by indissoluble bands to remain within the Union itself, and to remain within it by its posterity forever. * * *

"Mr. President: I have said, what I solemnly believe, that dissolution of the Union and war are identical and inevitable; that they are convertible terms; and such a war as it would be following a dissolution of the Union! * * *

"Look at all history—consult her pages, ancient or modern—look at human nature; look at the character of the contest in which you would be engaged in the supposition of war following upon the dissolution of the Union, such as I have suggested; and I ask you if it is possible for you to doubt that the final disposition of the whole would be some despot treading down the liberties of the people—the final result would be the extinction of this last and glorious light which is leading all mankind, who are gazing upon it, in the hope and anxious expectation that the liberty which prevails here will sooner or later be diffused throughout the whole civilized world. Sir, can you lightly contemplate these consequences? Can you yield yourself to the tyranny of passion, amidst dangers which I have depicted in colors far too tame, of what the result would be if that direful event to which I have referred should ever occur? Sir, I implore gentlemen, I adjure them, whether from the South or the North, by all that they hold dear in this world—by all their love of liberty—by all their veneration for their ancestors—by all their regard for posterity—by all their gratitude to Him who has bestowed on them such unnumbered and countless blessings—by all the duties which they owe to mankind—and by all the duties which they owe to themselves, to pause, solemnly to pause at the edge of the precipice, before the fearful and dangerous leap is taken into the yawning abyss below, from which none who ever take it shall return in safety.

"Finally, Mr. President, and in conclusion, I implore, as the best blessing which Heaven can bestow upon me upon earth, that if the direful and sad event of the dissolution of this Union is to happen, that I shall not survive to behold the sad and heart-rending spectacle."

CRITICAL NOTICES.

Memoirs of the Life of William Wirt: By JOHN P. KENNEDY. Philadelphia: Lee & Blanchard.

The fact of a second edition of these instructive volumes being called for, sufficiently indicates the standing which they deserve so well, and have so rapidly taken in the estimation of the public. It is surprising that so few memoirs of the distinguished American contemporaries of William Wirt have been published. This kind of literature, so successful in France, would be eminently so in this country, where so many great names, endeared to the people, still await the labors of the biographer, and where writers are to be found, like the present editor, so fully competent to the task. The career of William Wirt is that of a highly successful lawyer. It does not abound in incident. But the high station he filled, his popularity at the bar, the important causes in which his eloquence was displayed, and his correspondence with the greatest men of the nation, would make his life interesting, even from a pen much less qualified than that of John P. Kennedy. For the sake of giving an idea of this writer's style, we will extract a short passage on the birth of the democratic party—so called of late years—a party, which now offers a fair field for the labors of the historian, since its rise, its progress, and its fall, belong to a not very distant past, and furnish those requisites of a full and complete action, which are deemed necessary for the effect of a narrative:

"The election terminated in favor of General Jackson. He was inaugurated President of the United States, on the 4th of March, 1829. On this day, the democratic party, which had been predominant in the administration of the affairs of the general government for twenty-eight years, surrendered its power into the hands of that new party, which had been brought together by the popularity of the hero of New Orleans. The new party was a miscellaneous one. It embraced all that portion of the federalists who were anxious to come into power,—by no means a small host. It absorbed a large number of the young politicians, who had grown up to manhood during the period of General Jackson's military career. It attracted and embodied such portions of the masses of the people, as conceived the chief magistracy to be an appropriate reward for distinguished military exploits—always a large number in every government. The leaders in this combination were eager and practised politicians, bred in the schools of some of the parties, which had heretofore divided the country. Their political creed, therefore, was various, according to the school in which each had been educated; but it was accomodating, and sufficiently held in the back-ground to enable it to await events. The opinions of the chief him-

self were so far indefinite as to give each section of his party hopes of finding it an easy matter to comply with his taste, in respect to measures. Old democrats and federalists were united in his cabinet, without any visible contrariety of position. It was an era of surrender and compromise of old antipathies, with an implied promise of silence, for the future, on old topics. By-gones were to be by-gones. The destination of the party was to be settled hereafter. Its principles and measures were to be left to the chapter of accidents. For the present, all differences were submerged beneath the General's unbounded popularity. This was the condition of that new party, which had just overthrown a political domination of twenty-eight years, and which was fated itself to be overthrown in twenty years more."

Roland Cashel. By CHARLES LEVER. With Illustrations by PHIZ. New York: Harper & Brothers.

The author of *Charles O'Malley* is the last person from whose pen we should have expected a work like *Roland Cashel*. Heretofore he has generally been content to let his fancy run riot among those scenes peculiar to Ireland, which he is so well competent to describe. The slightest thread of fiction was, in his hands, a sufficient canvas for the rich embroidery of anecdote and fun which his well stored memory and his epigrammatic genius readily supplied. In the novel now before us he has taken a somewhat loftier aim. He has adopted the artifice of an intricate plot, whose developments, apart from details, are sufficient to interest and excite the reader. Besides, he has kept in view a moral truth, whose illustration forms the graver object of the work. His conception is to show a young man, every way qualified to be an ornament of society, suddenly acquiring enormous wealth, and becoming a member of the proprietary aristocracy of Ireland—a young man, thus qualified and situated, and who, nevertheless, and in spite of the best intentions in the world, turns the blessing into a curse for others, as well as himself, and wholly neglects the high trust reposed in him, and this through sheer ignorance of the real duties and responsibilities attendant upon wealth. In making his selection for a hero, the author was somewhat embarrassed. No youth, born and educated in Great Britain, could be supposed to possess the ignorance which the subject required, without also being tainted with qualities peculiar to the lower classes in that country, and which would disqualify him for the spirited part of the hero of a British drama in high life. The hero, therefore, must be a youth, educated abroad; and the greater the contrast between the habits of his former life, and

those of the class into which he would be thrown, by his sudden acquisition of landed property in Ireland, the better for the purpose of the author. Long must the author have pondered ere he solved his problem. We wonder that he did not feign his hero brought up in the United States. Surely, no contrast could have been greater than that between the principles of equality and political justice, received here in early life, and the narrow prejudices of the privileged classes of Great Britain. Perhaps, however, this solution of the difficulty would have carried Mr. Lever too far. Perhaps, in the contest between two such different modes of viewing life, the young stranger's ideas must have appeared too sensible and just; those of his new friends, too bigoted and *arriere*. The author brings his hero to Ireland, from the semi-piratical naval service of the late Colombian Republic. Possessor of enormous wealth, suddenly acquired, gifted with all the attributes of novel-heroism, and desirous withal to administer his high stewardship for the good of his fellow-beings, but, inexperienced in the ways of the old world, Roland becomes the dupe of designing adventurers, and soon learns, through sad experience, that the art of doing good, is most difficult to acquire. The manner in which the hero illustrates the truth he intended to establish, is beyond all praise.

There is one character, whose presence in this novel we regret. It is that of Tom Linton. He is a thorough villain in high life, cold, perfidious, unprincipled, and heartless. He has not one single redeeming trait. For the high intellectual faculties wherewith he is endowed, only aggravate his enormous guilt. Not even the pride of station, or the pride of ambition, seems to lend one good impulse to his callous heart. He evinces no affection for any human being. His love for the Lady Kilgoff of the novel, is, it would seem, purposely shown in a light which gives no relief to his detestable nature. It seems to have been the author's predetermined aim to depict a monstrous embodiment of all that is evil. Now, we believe that the portraiture of such a character is not only a libel against human nature, but, also, a blunder in art.

A System of Ancient and Mediæval Geography. For the use of Schools and Colleges: By CHARLES ANTHON, L. L. D., &c. New York: Harper & Brothers.

Professor Anthon bids fair to leave behind him the fame of the most indefatigable compiler of modern times. There is scarcely any walk of classical literature which his laborious erudition has not invaded. He could not have applied his industrious research to a subject that stood more in need of comprehensive illustration, than ancient and mediæval geography. The reader is not to understand, from this double title, that the work now before us proposes, systematically, to expound the obscure and ever changing political geography of the middle ages. The knowledge of the ancients concerning the continents of Europe, Asia, and Africa, is traced from its earliest ascertained origin, down to the period when the subversion of the Roman Empire effaced old boundaries from the map of the world. Mediæval details are spa-

ringly added, in particular cases, where the importance of the subject requires them.

Mr. Anthon has adopted a commendable method in the disposition of his task. He treats of the great territorial divisions first, in a comprehensive manner, which leaves a clear, general impression upon the reader's mind, and afterwards, with such details as may appear necessary, gathering together, in the shape of notes, such explanatory observations as he deems necessary to illustrate the text, or to account for his preference in cases where authorities conflict. These "observations" generally contain lucid summaries of such historical and ethnological questions as the text suggests.

Considering the vast range of the work, the darkness of the subject, and the immense number of authorities consulted, it is to be presumed that oversights must have occurred in this first edition, which the author, at a future period, will correct. Cursory as our own perusal has been, several instances have attracted our notice, where, without attempting to decide between Mr. Anthon and our own former teachers, we saw that either they or he must be wrong. Not a few passages also might be cited where our author is in glaring contradiction with himself. For example, when we read (p. 4) that the Basque was a branch of the Celtic, we fancied that Mr. Anthon must have discovered some new facts in philology, which overturned what we had been led to consider a well established theory, and which also set at nought some very agreeable hypotheses of our own thereanent. But we found consolation at page 158, where the author, entrenching himself behind the formidable authority of W. Von Humboldt, bids us rest assured that the Basque is not of Celtic, but of Iberian, and, therefore, remotely, of Flemish origin. A conclusion, perfectly in accordance with facts ascertained from widely different sources, and all tending to prove that the interesting people who inhabit that section of France and Spain, where the beautiful Basque language is still spoken, (a language which Montaigne almost regrets is not his own,) are the sole surviving representatives of the oldest and purest stock in Europe—perhaps in the world.

No maps or plans accompany the work; our author refers us, in his preface, to Findley's Classical Atlas, as being "the best collection of classical maps for its size that has hitherto appeared." We cannot help thinking that the general reader, who requires Professor Anthon's work chiefly as a book of reference, would have been better pleased with a few maps, representing, on a small scale, so much of the world as Ptolemy knew of.

History of William the Conqueror: By JACOB ABBOTT, with engravings. New York: Harper & Brothers.

Mr. Abbott has, it seems, determined to become the Plutarch of young readers. His series of biographical sketches is one of the most useful productions of the age. We would recommend it not only as furnishing instruction in a pleasing and intelligible shape for the young, but also as a text book for many who have passed the age of sys-

tematic tuition, and desire to gain information, without overtasking minds harassed with the daily cares of life. Nay, more: we feel certain that scholars, even of unusual attainments, could nowhere refresh their historical recollections so usefully and agreeably as in the pages of Mr. Abbott. The publishers, too, have neglected nothing to make these little books acceptable in outward form. They are uniformly bound in a neat and appropriate dress. The title-pages are bright with gold, and many colored arabesques, and the cuts with which they abound, are worthy of artists of much higher pretensions. Those in the History of William the Conqueror, signed "W. Roberts," are beautiful specimens of art.

Iconographic Encyclopedia of Science, Literature, and Art. Rudolph Garrigue, No. 2 Barclay street, New York.

We have lying before us Part 5th of this admirable Encyclopedia. The illustrations of this portion are chiefly of Natural History; iconographs of fish, serpents, lizards and birds, exquisitely engraved. This work is, in its way, beyond praise. In a previous number we have given a full account of it, with terms of subscription. It must have been gotten up at a vast expense. Every thing of interest in the entire range of art and science will be represented and described in this truly Encyclopedic work. The price of each number is one dollar; and contains twenty quarto plates, covered with elaborate engravings.

The Life and Correspondence of Robert Southey. Edited by his son, the Rev. CHARLES CUTHBERT SOUTHEY, M. A., Curate of Plumland, Cumberland. New York: Harper & Brothers.

Robert Southey had passed the meridian of life, and was in the full enjoyment of great literary renown, when he undertook, in a series of letters to his friend, John May, to retrace the eventful story of his life. The opening chapters of this autobiography, which the work now before us contains, may be considered as models of this style of writing, and are distinguished for an easy garrulousness, and a digressive fondness of detail, which no one would have expected at the hands of "Bob Southey, raving." Some of the characters, which his masterly hand has sketched in these rambling recollections of early life, though strongly marked with the stamp of truth, are so original, or, at least, so unusual, that they would furnish matter for any quantity of novels. The portrait of his uncle, William Tyler, would be accounted a piece of rare good fortune by some writers of fiction. The early indications of Southey's genius do not lose any of their value for being told by himself. Many dramatic writers would do well to take warning from the words of little Bob Southey, when he was about eight or nine years old: "It is the easiest thing in the world to write a play; for, you know you have only to think what you would say, if you were in the place of the characters, and to make them say it." Only the precocious child was not aware that this faculty of being able to place oneself in the stead of

an imaginary character, is one of the loftiest attributes of genius.

It is to be deeply regretted that the author of Kehama did not continue these recollections down to a late period of his life. His son, who takes up the unfinished theme, suggests that the sensitive bard shrank from the further prosecution of a task, which, at the particular period where the "Recollections" end, was attended by circumstances of a painful nature. The vast number of Southey's own letters which the Curate of Plumland intervenes in his narrative, gives it almost the air of an autobiography.

Dictionary of Mechanics, Engine Work, and Engineering. OLIVER BYRNE, Editor. D. Appleton & Co.: New York. 1850.

The Messrs. Appletons have been for some time employing the ability of very learned translators and compilers upon this truly elegant and valuable publication. We understand that they have invested a very large sum of money in the undertaking, and from the specimens before us we have formed the highest opinion of the value and success of their enterprise. Every thing in mechanics is here fully explained, and illustrated with extremely elegant illustrations, with lettered explanations, as accurate as modern attention can make them, and almost rendering the letter press unnecessary. The most complicated machinery of cloth weaving, even, of steam engines, the internal construction of boilers and furnaces, are minutely described. The number before us, which is the second of the series, contains a minute and expanded description of the Croton aqueduct. Every portion of that extraordinary work being described and represented with the minutest care. This work is a desideratum, the most elegant thing of its kind, and if carried out in the spirit of its commencement, the most valuable. Its form is large octavo, exquisitely printed on fine paper. The separate numbers are sold for 25 cents each.

Elements of Natural Philosophy. A Text Book for Academies and Colleges. By ALONZO GRAY, A. M., Professor of Natural Philosophy, &c., in the Brooklyn Female Academy,—Author of Elements of Chemistry, &c. Illustrated by 360 wood cuts. New York: Harper & Brothers. 1850.

We have not had leisure to examine this compilation or to estimate its particular merits as compared with others of its kind. The principles of Natural Philosophy are set forth and illustrated by the author very clearly and concisely. It has evidently been prepared by an experienced teacher; and condenses into a small space a vast amount of information.

Fire-Side Stories. By Mrs. ELLIS, Author of Hearts and Homes, Women of England, &c. New York: D. Appleton & Co. 1850.

This work contains four stories or novelettes: "The Minister's Family," "First Impressions," "Somerville Hall," and "The Rising Tide." The celebrity of the very talented authoress will ensure them a reading.

The Modern Housewife or Menagere. Comprising nearly 1000 receipts. By ALEXIS SOYER, author of the "Gastronomic Regenerator." Edited by an American Housekeeper. New York: D. Appleton & Co. 1850.

It would require a year's acquaintance with such a book as this, and a much more extensive knowledge of cookery than is expected in an editor, to pronounce upon its merits. The name of Soyer, a celebrated cook, attached to it, will ensure its popularity. It contains an immense number of economic and judicious receipts for the preparation of every meal of the day, with those of the nursery and sick room; together with minute directions for family management in all its branches; and if it goes near to fulfil the promise of its title page, must be a perfect treasure for house-keepers.

Philo. An Evangeliad. By the author of "Margaret," a Tale of the Real and Ideal. Boston: Phillips, Sampson & Co. 1850.

A good neighbor who plants an offence upon his door-step, need not expect visitors; and a poet who occupies the first ten pages of his poem with the most flat, insufferable common-place, need hardly expect readers. With feelings, we confess it, of hope and expectation, we commenced the reading of this poem, and with all sincerity and gravity delivered the first few pages of it aloud; but as the effect was directly the reverse of that intended by the author, we found it impossible to proceed. Here we have an angel coming down by appointment to meet a real Yankee, who enters into a very common-place conversation with him, and acts as a kind of cicerone to the heavenly visitant,—showing him a church, and saying "that is a church,"—showing him pews and a pulpit, and assuring him that those are pews, and that that is a pulpit. The angel understood English, and either there are pews in heaven, which we seriously doubt—at least, not straight backed ones—or the angel had a vague notion of the meaning of the words pew and pulpit out of his dictionary, else there were little profit in telling him that this was a pew and that was a pulpit. But the absurdity of the thing is too broad for comment, and the author who could perpetrate such nonsense, is either hoaxing us, or he is a solemn trifler. This entire Evangeliad, we take it, is a mistake. The author has a theory that the ideal is to be sought in the real, but he entirely overlooks the distinction between the real and the common-place; a mortal sin in poetry.

New York; Past, Present, and Future: By E. PORTER BELDEN, Projector of the "Model of New York." New York: George P. Putnam. 1850.

In this work Mr. Belden has furnished the traveller in New York with a full statistical account

of everything noticeable in the great metropolis. It is a complete and satisfactory stranger's guide. One half of the volume is occupied by advertisements, directing the stranger to the best stores and wholesale business establishments. The work is illustrated by excellent steel engravings of the principal buildings, and has an excellent map of the city. Mr. Belden's opportunities for the preparation of such a work have been, to our certain knowledge, at least equal to those of any one of our citizens. It is a small volume, very neatly printed.

The Fountain of Living Waters. In a series of sketches. By a Layman. New York: George P. Putnam. 1850.

This work is a series of religious meditations, illustrated by a very excellent wood cut of a scene on the North River.

Memoirs of the Life and Writings of the Rev. Thomas Chalmers: By his son-in-law, the Rev. WILLIAM HANNA, L. L. D. In 3 volumes. Vol 1. New York: Harper & Brothers, Publishers. 1850.

The publishers have sent us the first volume of this work. It will be received with interest by the Evangelical churches of America. It is unnecessary here to attempt any criticism, or to make any remark upon it.

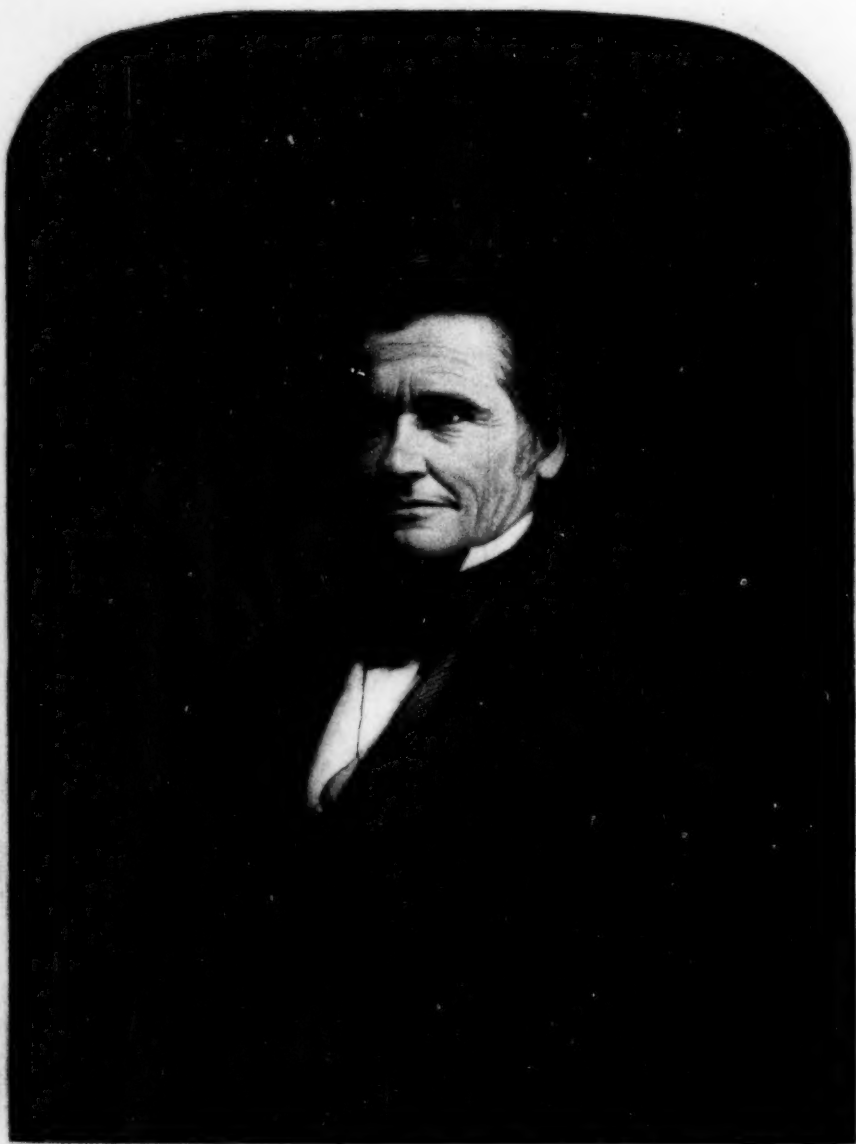
A Romance of the Sea Serpent; or, the Ichthyosaurus. Also, a collection of the Ancient and Modern Authorities, with Letters from Distinguished Merchants, and Men of Science. Cambridge: John Bartlett. 1849.

This is a very droll book: one-third story, one-third poetry, and the rest notes. We presume that every person who has ever seen the sea serpent, off Manhattan, or elsewhere, will desire to have a look at this book about him.

The Mirror of the Patent Office, and National Cyclopaedia of Improvements of the City of Washington: William Greer & Co., No. 177 Broadway, New York. 1849.

This, as its name purports, is a quarto publication, coming out in numbers, and containing illustrated descriptions of new and important inventions.

[We are compelled, for want of room, to omit noticing a number of valuable books, sent us by the publishers, but which we reserve for our succeeding number.]



Dag^{ro} by Brady

Mass by P. M. Whelpley.

Joseph Chandler

U. S. REPRESENTATIVE FROM PENNSYLVANIA